AGENDA

COMMITTEE ON LANDS AND BUILDINGS

January 10, 2005 Aldermen Thibault, Roy, Gatsas, Osborne, Porter 6:15 PM Aldermanic Chambers City Hall (3rd Floor)

- 1. Chairman Thibault calls the meeting to order.
- 2. The Clerk calls the roll.
- 3. Discussion of Hackett Hill Business Park Development.
- 4. Communication from Steven Tellier, Chairman of the Board of Assessors, requesting that the City Hall Complex west wing conference room (first floor) be allocated to the Board of Assessors in order to meet space requirements.

Gentlemen, what is your pleasure?

5. Communication from Atty. Peter Tamposi, on behalf of Richard Exline, requesting a modest lot line adjustment and the termination of an access easement owned by the City.

Board of Assessors -value range \$3,000 - \$3,500

Planning – no report submitted

Tax Collector - no interest, not tax-deeded parcel

Highway – comments submitted

Parks – no report submitted

Gentlemen, what is your pleasure?

6. Communication from Donna Wood advising of her interest to purchase the former fire station at Weston and Concord Streets.

Board of Assessors - no report submitted

Planning – recommend not be considered "surplus"

Tax Collector – no report submitted

Gentlemen, what is your pleasure?

TABLED ITEMS

A motion is in order to remove any of the following items from the table for discussion.

7. Communication from Urban Ponds Restoration Program reference: Black Brook/Maxwell Pond Stream Restoration Proposal.

(Tabled 08/10/2004 – public hearing scheduled for Thursday, January 20, 2005 at 7:00 PM in the Aldermanic Chambers of City Hall.)

NOTE: In reference to Items 8, 9 & 10 draft City of Manchester policy regarding private sector use of the former Portsmouth Branch Railroad Line ROW submitted by Planning attached.

8. Land between Valley and Grove Streets previously owned by B&M Railroad.

(Tabled 05/26/2004 pending standard policy for purchasing railroad land to be submitted by Planning.)

Board of Assessors - value range \$57,448

Planning – do not dispose, license might be considered with conditions Parks & Recreation – do not dispose; temporary use license or agreement subject to conditions to be considered

9. Land at Belmont/Valley/Grove Streets formerly owned by B&M Railroad (Last tabled 07/27/2004 pending standard policy for purchasing railroad land to be submitted by Planning.)

Board of Assessors – value range \$26,484

Planning – recommend license for usage subject to conditions Tax Collector – no interest, not tax-deeded parcel

10. Land at Maple/Somerville Streets formerly owned by B&M Railroad. (Last tabled 07/27/2004 pending standard policy for purchasing railroad land to be submitted by Planning.)

Board of Assessors - value range \$21,084

Planning/Parks – do not dispose, recommend license for usage subject to conditions

11. Discussion of area for dog park.

(Tabled 07/27/2004 pending review and report from Parks, Highway and Planning.)

Parks - Pine Grove Cemetery area - not suitable

Highway – Landfill area – accept subject to areas being fenced and controlled access

Planning - Landfill area - most suitable location

- 12. Use of Landfill area NH Flying Tigers R/C Club, Inc. (Tabled 07/27/2004 pending review of dog park information.)
- 13. Request by Leo Bernier to purchase TM 415, Lot 1.

 (Tabled 11/15/2004 pending preliminary archeological report or study.)

 Board of Assessors no report submitted

 Planning recommends not find surplus at this time until preliminary testing by archaeological experts be completed to determine general conservation worthiness.

Tax Collector – no objections to disposition Highway – no use for property except for easement

14. Request by Nicholas Bonardi to purchase a discontinued portion of So. Bedford Street at South Commercial Street.

(Tabled 11/15/2004 pending further review.)

Board of Assessors – value range \$17,340 - \$21,675

Planning – dispose to Mr. Bonardi with condition of consolidation with TM 274/Lot 7A

Tax Collector – no objections to disposition, not tax deeded-parcel

- 15. Communication from Robert MacKenzie, Planning Director, referenced as Blacksmith Shop on Second Street.

 (Tabled 11/15/2004 pending further review by CIP Committee.)
- 16. If there is no further business, a motion is in order to adjourn.



Dick Dunfey Secretary/Treasurer

M A N C H E S T E R HOUSING AND REDEVELOPMENT CORPORATION

George N. Copadis

President

William B. Cashin
Vice-President

Marie E. Donohoe

Trustee

Fred B. Kfoury, Jr.

Trustee

M. Mary Mongan

Trustee

January 4, 2005

Alderman Henry R. Thibault, Chairman Lands and Building Committee City Hall One City Hall Plaza Manchester, NH 03101

Re: Hackett Hill

Dear Alderman Thibault:

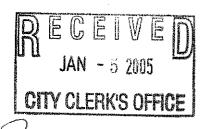
We have been asked to outline some of the differences between Hackett Hill (Northwest Business Park) being developed by the Manchester Housing and Redevelopment Corporation (MHRC) as opposed to a private for profit developer.

A direct side by side comparison is not possible because the development approaches are much different -- and therein lies the fundamental advantage of using MHRC: We act as an arm of the City, with the *sole mission* of carrying out a specific scope of services for the City's benefit.

MHRC does not have resources to purchase the land, pay for the engineering, infrastructure improvements and value appraisals required to bring the property to market. A private for profit developer would include these costs against potential land values to determine feasibility and place a low value on the undeveloped property. The for profit developer's objective would be to maximize the difference between the undeveloped land purchase price (offered to the City) and the developed land sales, likely without regard to property tax value or employment opportunities.

Although the prospect of having a private developer assume all costs and responsibility for development might seem inviting, consideration should be given to the benefits of MHRC's development plan which has a different motive than a for profit developer including:

- ~Land sales to developers based on end use, site utilization for increased tax base (relationship between building size and land area), quality of proposed development and employment opportunities.
- ~All parcels sold will contain both buildable and non-buildable areas to assure that all land will be taxable. When fully developed, no remnant non-buildable parcels will remain off the tax rolls.





~No speculative land sales will be permitted. Land will not be sold without architectural plans identifying use, size and design approved by the MHRC prior to closing.

~The City pays the actual and direct cost for each element of the work performed by MHRC staff and/or professional consultants hired by the MHRC. No developer fee or profit is charged.

~The City retains project oversight and could terminate the agreement with MHRC with a ninety (90) day for cause notice.

~The City retains the flexibility to address unanticipated issues or changing market conditions if necessary.

Although a for profit developer under the same criteria could conceivably achieve similar results, the costs of these services to the City would be higher and the City would give up significant control over the process.

The Manchester Housing and Redevelopment Authority has a long history of performing similar projects for the City and we are proud of our record of success in such endeavors.

Attached is a summary which illustrates the results, to date, of the Manchester Air Park Project, which has provided \$28,888,000 in new assessed value, 2004 property tax revenue of \$806,557, and 905 employment opportunities at a net project cost to the City of approximately \$2,500,000.

We would respectfully maintain that our approach to development of the Northwest Business Park, as opposed to a private developer's inherent attention to its own bottom-line profit, would be the safest, most prudent for the City.

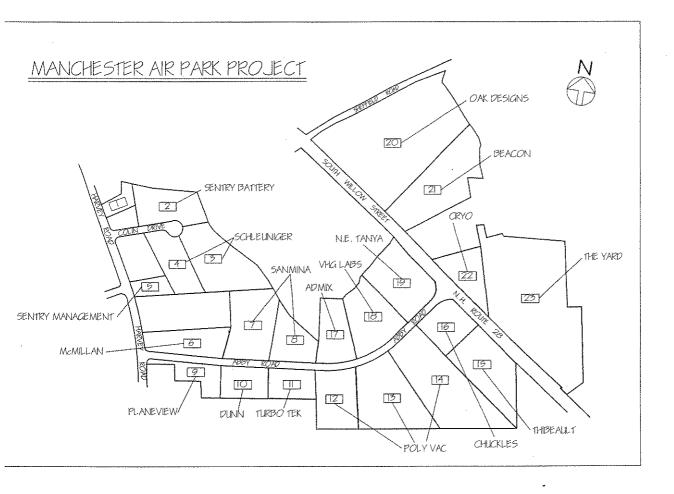
Thank you.

Sincerely,

MANCHESTER HOUSING AND REDEVELOPMENT CORPORATION

Dick Dunfey

Secretary/Treasurer, MHRC Executive Director, MHRA



M.A.P. Parcel	Business Name	Total Property Assessment		Tax Payment		Acreage	Building Square Feet	Number of Employees	Original Assess.
									1979*
2	Sentry Battery	\$	566,400	\$	15,813.89	2.62		8	
3 - 4	Schleuniger	\$	1,852,500	\$	51,721.80	6.34	50,719	35	
5	Sentry Management	\$	421,900	\$	11,779.45	0.75	10,260	40	
6	McMillan	\$	501,400	\$	13,999.09	2.33		19	
7	Sanmina	\$	3,331,200	\$	93,007.10	3.57	79,036	287	
8	Sanmina	\$	144,000	\$	4,020.48	2.05	-		
9	Planeview	\$	246,700	\$	6,887.86	1.43	5,000	5	
10	Dunn	\$	466,000	\$	13,010.72	1.68	10,352	12	
11	Turbotek	\$	670,000	\$	18,706.40	1.58	11,900	15	
12 - 13	PolyVac	\$	4,734,600	\$	132,190.03	7.35	114,170	200	
14	PolyVac	\$	477,500	\$	13,331.80	6.40	-	~	
16	Chuckles	\$	1,150,600	\$	32,124.75	2.16	27,200	10	
17	Admix	\$	692,100	\$	19,323.43	2.18	15,134	26	
18	VHG Labs, Inc.	\$	845,500	\$	23,606.36	3.26	18,685	54	
19	N.E. Tanya	\$	1,454,700	\$	40,615.22	3.65	35,309	26	
20	Oak Designs	\$	2,152,800	\$	60,106.18	12.10	39,952	100	
21	Beacon	\$	946,000	\$	26,412.32	5.13	16,400	8	
2.2	CRYO	\$	776,000	\$	21,665.92	1.96	11,499	18	
23	The Yard Hotel	\$	7,458,100	\$	208,230.15	12.03	59,616	42	
	TOTALS:	\$	28,888,000	\$	806,552.96	78.57	523,357	905	\$ 133,650

Tax rate as of November 30, 2004: \$27.92 per \$1,000 assessed value

Parcels 1 (0.66 acres) and 15 (3.87 acres) are owned by the MHRA. Parcel 15 is currently under agreement and Parcel 1 is available for sale.

Parcel 23 - The Yard Hotel was built on a consolidated lot under the same ownership. No assessment for Parcel 23 alone is available.

^{*} An estimated assessed value of the project area in 1979.



CITY OF MANCHESTER, NH Board of Assessors

One City Hall Plaza, West Wing Manchester, New Hampshire 03101 Tel: (603) 624-6520 – Fax: (603) 628-6288 E-mail: <u>assessors@ci.manchester.nh.us</u> Web: www.ManchesterNH.gov



Steven G. Tellier, Chairman Thomas C. Nichols Stephan W. Hamilton

Christine Hanagan Assistant to Assessors

December 28, 2004

Committee on Lands and Buildings Alderman Thibault, Chairman One City Hall Plaza Manchester, NH 03101

Re: West Wing First Floor Conference Room

Dear Committee Members:

The Board of Assessors respectfully requests that the Committee on Lands and Buildings consider allocating use of the *West Wing First Floor Conference Room* to the Board of Assessors. The room is located directly adjacent to the Assessors office and is seldom used, being unoccupied most of the time.

There are three reasons for the request:

- 1. Office space originally allocated to the Assessors Department at the time of City Hall renovations has become inadequate for staffing needs. The increased number of employees (due to the addition of appraisal staff) has made it necessary to "shoehorn" employees into areas that are not appropriate and areas which were not intended to be used for workstations.
- 2. Some space previously available for meetings with taxpayers and customers has been reallocated to workstations. As a result, the present office set-up does not lend itself to private discussions with taxpayers concerning delicate financial issues. Meeting in a large conference room is cold and intimidating to taxpayers who are conferring with a government official. Conversely, the small office space occupied by two of the Assessors is not conducive to meetings that consist of more than one person.
- 3. With work being scheduled to begin shortly for the 2006 property revaluation, it will be necessary to provide two workstations and meeting/consulting areas for the revaluation staff. The revaluation staff will be interacting and working closely with the staff of the Assessors Department.

Committee on Lands and Building December 28, 2004 Page 2

Allowing the Board of Assessors to incorporate the West Wing First Floor Conference Room as part of their office space will address all three of the above issues. Approval of this request will enable the Assessors Department to provide appropriate workstations for its staff. Additionally, it would allow for space conducive to meetings with taxpayers and customers. Finally, the close proximity of the revaluation staff would enable the Assessors to closely monitor the progress and implementation of the upcoming property revaluation.

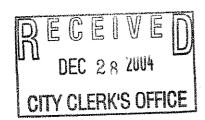
The Board of Assessors would appreciate the Committee giving serious consideration to this request.

Sincerely,

BOARD OF ASSESSORS

Steven G. Tellier, Chairman

cc: Leo Bernier, City Clerk





ATTORNEYS AT LAW

889 Elm Street

Manchester, New Hampshire 03101-2019
(603) 628-4000
Fax: (603) 628-4040

Direct Dial: (603) 628-4014

E-Mail: ptamposi@nixonpeabody.com

December 14, 2004

VIA HAND DELIVERY

Land and Building Committee Manchester Board of Alderman One City Hall Plaza Manchester, NH 03101

Re: Richard Exline Property 1823 Candia Road, Manchester, New Hampshire

Dear Sirs:

This office represents Richard Exline with respect to certain property located at 1823 Candia Road, Manchester, New Hampshire. Mr. Exline respectfully requests approval from the City of Manchester for a modest lot line adjustment and the termination of an access easement owned by the City. Unfortunately, the parties who sold Mr. Exline his property, as well as Mr. Exline's own lawyer, misrepresented both the location of the boundaries and the existence of the City's access easement. As a result, Mr. Exline's shed is only partially on his property, and his attempts to put an addition on his home have been hindered.

Earlier this fall, we met with Ron Johnson, formerly of City of Manchester, Parks, Recreation and Cemetery Department to discuss the adjustments. He indicated that there were a number of properties surrounding Mr. Exline's property which had similar minor lot line adjustments, and that the City was generally willing to accommodate such requests. He asked that we obtain an engineered drawing of Mr. Exline's lot and the City's property adjacent thereto. Enclosed for your review is Burd Engineering Associates' survey dated November 9, 2004. The parcel described as parcel "A" on the lot depicts the City's property we would seek to adjoin.

At the request of Ron Ludwig, who is also of the City of Manchester, Parks, Recreation and Cemetery Department, we forwarded the attached to Thomas Arnold, III, of the City Solicitor's Office. Mr. Arnold indicated that the Board of Alderman would need to approve the lot line adjustment and termination of the easement. The purpose of this letter is to request that Mr. Exline's request be placed on the Board's agenda at its earliest possible convenience. Specifically, Mr. Exline respectfully requests that his lot line be pushed back to the northwest side of parcel A, and that the twenty-foot access easement be terminated. I would be happy to meet with you or any of your colleagues to discuss the referenced adjustments. If you require any additional information, or would like to further discuss these issues, please do not hesitate to contact me.

M116232.1

NIXON PEABODY LLP

I look forward to hearing from you.

Very truly yours,

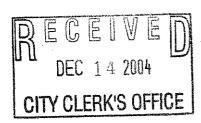
Peter N. Tamposi

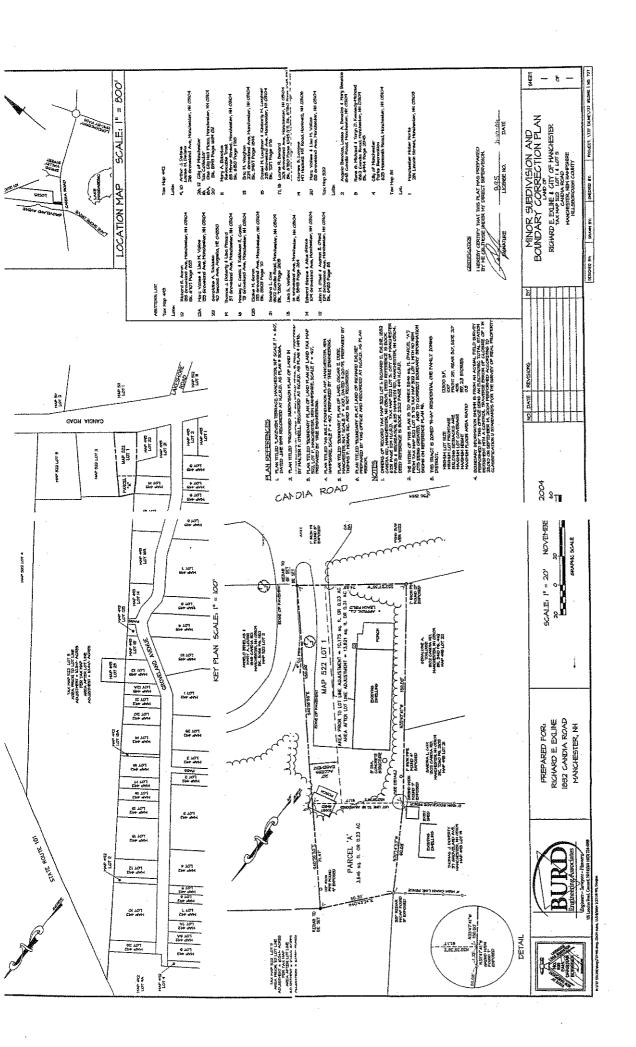
PNT:jsf Enclosure

cc: Thomas Arnold (w/encl.)

Daniel D. Muller, Esq.

Richard Exline







CITY OF MANCHESTER Board of Assessors

One City Hall Plaza, West Wing Manchester, New Hampshire 03101 Tel: (603) 624-6520 – Fax: (603) 628-6288 Email: assessors@manchesternh.gov Web: www.ManchesterNH.gov



Steven G. Tellier, Chairman Thomas C. Nichols Stephen W. Hamilton

Christine Hanagan Assistant to Assessors

To:

Committee on Lands and Buildings

From:

Board of Assessors

Date:

January 6, 2005

Re:

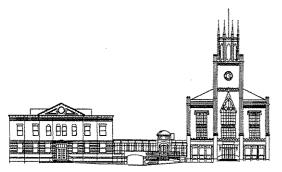
Request to Purchase Limited Land Area Loc: Youngsville Park, off Candia Rd. Map 522 Lot 5

From: Richard Exline, 1832 Candia Rd. Map 522 Lot 1

The Assessors have completed an analysis of the estimated market value of the above referenced property. An analysis of the available assessing records has been completed. The following is a summary of important facts, and the value estimate:

Property Location	City Parkland on Candia Rd Youngsville Park
Assessors Map/Lot	522/5 (Source Lot)
Property Owner	City of Manchester
Deed Book/Page	
Date Acquired	
Improved/Vacant	Site specific to vacant-inactive rear area of residual City parkland
Total Land Area	3,646 Square Feet
Requested for Purchase	
Current Zoning	R1-A
Overlay District	
Easements/Restrictions	20 Foot Access Easement described on submitted Burd Plan.
Utilities Available	Water/Sewer from Candia Rd.
Total Current	Exempt
Assessment	
Indicated Range of	Approximately \$1.00 p/ft
Value/Unit	
Indicated Range of	\$3,000-\$3,500
Value	
Comments	No value has been assigned to 20' access easement in this report.

Respectfully submitted by the Board of Assessors,



Welcome to the City Of Manchester NH, Where History Invites Opportunity!

City of Manchester Office of the Tax Collector

City Hall One City Hall Plaza

Manchester, New Hampshire 03101 Joan A. Porter, Tax Collector Tele: (603) 624-6575 Fax: (603) 628-6162

Web Site: http://www.manchesternh.gov
Email: taxcollector@ci.manchester.nh.us

Memorandum

DATE: DEC

DECEMBER 21, 2004

TO:

LAND & BUILDINGS COMMITTEE

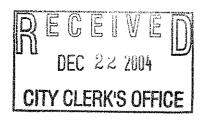
FROM:

JOAN PORTER, TAX COLLECTOR

RE:

PROPERTY LOCATED AT 1823 CANDIA ROAD

The Tax Collector's Office has no interest in the above-referenced property since it is not a tax-deeded parcel.







City of Manchester Department of Highways

227 Maple Street
Manchester, New Hampshire 03103-5596
(603) 624-6444 Fax # (603) 624-6487

Commission

Edward J. Beleski - Chairman Henry R. Bourgeois William F. Kelley Michael W. Lowry William A. Varkas

Frank C. Thomas, P.E. Public Works Director

Kevin A. Sheppard, P.E. Deputy Public Works Director

December 16, 2004

Committee on Lands and Buildings Board of Mayor and Aldermen c\o Leo R. Bernier, City Clerk One City Hall Plaza Manchester, New Hampshire 03101

RE: PROPERTY AT 1823 CANDIA ROAD

Dear Committee Members,

We have reviewed the request of Attorney Peter Tampsosi to convey 0.23 acres to his client, Richard Exline, and to terminate a right of way over the Exline's land to the City's property. The property in question is shown in the Assessor's records as Map 522 Lot 5. It is approximately 10 acres of woodland between Candia Road and Route 101 and between Groveland Avenue and other land of the City. The City acquired this property May 1972 from Burton A. Cook (HCRD 2212-449).

The Highway Department has the following comments:

- Other than a sketch, the subdivision plan fails to show the boundaries of the remaining City land after the subdivision. As the subject of subdivision the boundaries of the City land must be shown.
- The deed granting the land to the City is subject to 2 rights of way and 4 land exceptions. It would be necessary to identify the location of those grants in relation to the City's boundaries to be assured they are not in the area of this request.
- There appears to be only two access points into the City's land. The 20' access from Candia Road, subject of this proposal, would be eliminated. The second access is a 20' unimproved strip of land next to 109 Groveland Avenue. The validity of the Groveland Ave access point should be assessed, as it is not referenced in the City's deed.

The proposal does not address the encroachment of the shed onto land of Map 522 Lot 2. Is it possible the shed will have to be moved even if the City conveys the land to Mr. Exline?

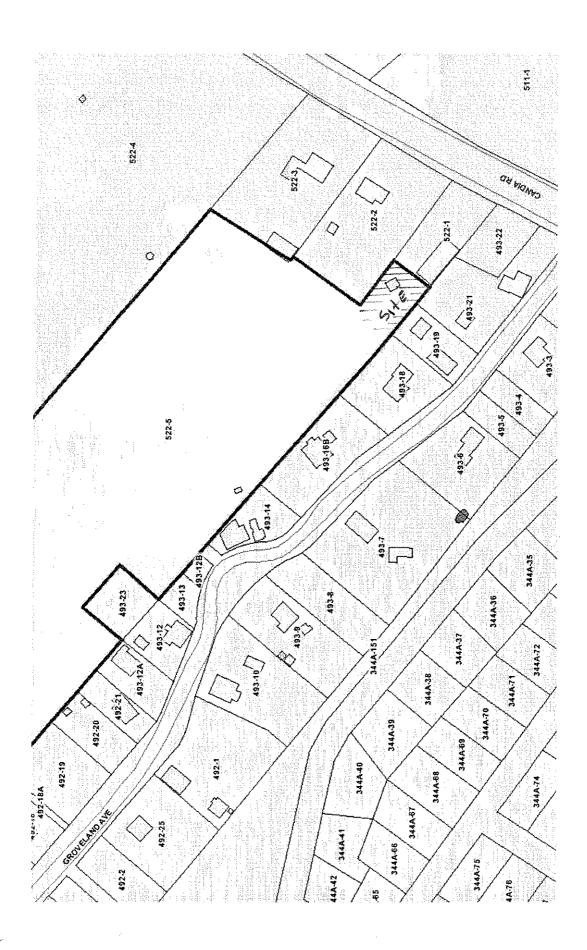


If further information of this site id needed I can be contacted at the Highway Department, 624-6444 extension 301

Sincerely,

rank / komas

Frank Thomas, P.E. Public Works Director



To Whom It May Concern:

MARCHE TE TO THE

This letter is in regards to a property owned by the City of Manchester which is located at the corner of Weston and Concord Streets Specifically, the old firehouse near McDonough Elementary School.

I am very interested in acquiring the property for the purpose of renovating it and converting it to residential use. I believe it would provide an opportunity to enhance the appearance of the building as well as increase property values in the neighborhood. This would also provide much needed tax revenue for the City of Manchester.

I look forward to hearing from you. Any and all information that you can provide as to the procedure and steps I would need to take would be greatly appreciated. Thank you for your time and consideration in this matter.

Respectfully,

Donna L. Wood 519 Brown Road Candia, NH 03034

Tel# 603 483 2190



City of Manchester Planning and Community Development One City Hall Plaza Manchester, New Hampshire 03101 603-624-6450 Fax (603-624-6529)

DB-GRAM

To:

Paula L-Kang, Office of the City Clerk

From:

David Beauchesne, Urban Planner

Date:

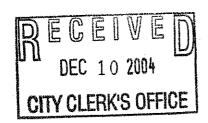
December 10, 2004

Re:

 $L\ \&\ B$ issue – request by $D.\ Wood$ to purchase former fire station at Weston $\ \&\$

Concord Streets

The L & B Committee considered a previous private sector request to acquire this property (i.e., John Gimas) in the late Spring of 2001. At that time, City Planning responded with a *Report* (May 23, 2001) which we, upon review, still feel satisfactorily reflects our current analysis concerning this matter. As a result, we would respond to your current request for a report by referencing our earlier letter to the Lands and Building Committee, a copy of is attached to this memo.





Robert S. MacKenzie, AICP Director

CITY OF MANCHESTER

Planning and Community Development

Planning Community Improvement Program Growth Management



Staff to:
Planning Board
Zoning Board of Adjüstment
Heritage Commission
Millyard Design Review Committee

May 23, 2001

Honorable Board of Mayor and Aldermen City Hall One City Hall Plaza Manchester, N.H. 03101

RE: Sale of the Weston Fire Station

Honorable Board Members:

This is to provide a report pursuant to Chapter 34 pertaining to the above-referenced property (also referred to as the Concord Street Fire Station).

Surplus Determination: This property located on the corner of Concord and Weston Streets. This property includes the former Weston Fire Station which is now used for storage. The property is bounded on either side by land which is used for both recreation and school purposes. The school purposes are related to the McDonough Elementary School. I am also aware that there is interest in reusing this building as a fire museum. Because of its relation to the McDonough School site and the possible interest in using it as a fire museum, I would recommend that the property not be considered "surplus". You may also want to receive comments from the School District and the Fire Department.

If you have any questions, I will be available at your next meeting.

Sincerely

Robert S. MacKenzie Director of Planning

cc: SPOT members

Manchester Urban Ponds Restoration Program

One City Hall Plaza, Manchester NH 03101 (603) 624-6450 www.manchester.nh.gov/UrbanPonds

August 6, 2004

Lands & Buildings Committee Honorable Board of Mayor and Aldermen One City Hall Plaza Manchester, NH 03101

Re: Black Brook/Maxwell Pond Stream Restoration Proposal

Honorable Committee Members:

The Manchester Urban Ponds Restoration Program (UPRP) was created in 2000 in an attempt to restore the city's urban ponds to their historic uses (such as boating, fishing, or swimming). The program attempts to promote public awareness, education and stewardship, reduce pollutant loading to improve water quality, maintain or enhance biological diversity, and provide improved recreational uses at each pond. One of the ponds in the program is Maxwell Pond.

Maxwell Pond has existed since 1900 when a dam was erected on Black Brook for the purpose of ice harvesting. Since that time the pond has been an ecosystem in need of restoration, since it has seen increased impacts from surrounding and upstream land uses over the last 50 years.

In 2001, I initiated an advisory committee comprised of environmental professionals to assess possible options for the restoration of the Maxwell Pond/Black Brook corridor. The initial discussions included dam removal as part of a larger Black Brook Corridor Restoration Project. There are many justifiable reasons for this option. First, the dam (currently in disrepair) no longer serves its original purpose, and is costly to maintain on a yearly basis. Second, the pond no longer resembles what it once was, and is no longer being used as a swimming area. Third, restoring Black Brook would enhance biological diversity and open up approximately 6 miles of unimpeded anadromous fish habitat from the Merrimack River upstream to Black Brook. This type of project, in the true spirit of restoration, certainly fits the scope and intent of the Manchester Urban Ponds Restoration Program.

Those on the advisory committee include representatives from the NH Department of Environmental Services, the NH Fish & Game Department, Trout Unlimited, the National Park Service, the Manchester Parks, Recreation & Cemetery Department, the Manchester Conservation Commission, and others. Each entity has been crucial in assisting the Urban Ponds Restoration Program with the design of a feasibility study, pre-restoration monitoring, and the likelihood of success of dam removal and habitat restoration at this site.

Through many hours of fieldwork and meetings, we have completed an exhaustive study of the impounded area to better understand the impacts of dam removal at this site. Since this is a City owned dam, the City holds the final determination of whether to move forward with the restoration of Black Brook by removing the impoundment. Considering such factors as timing, funding, dam maintenance, and habitat benefit, this is a rare opportunity for Manchester to restore at least some of what has been lost over the years.

In this period of rising environmental awareness, I ask that the Committee support this Urban Ponds Restoration Program initiative for the good of Manchester.

Thank you for your consideration.

Respectfully submitted,

Urban Ponds Restoration Program Coordinator



The State of New Hampshire

Department of Environmental Services



Michael P. Nolin Commissioner

March 15, 2004

Board of Mayor and Aldermen, Committee on Lands and Buildings City of Manchester 1 City Hall Plaza Manchester, NH 03101

Dear Committee Members:

The Black Brook Advisory Committee (BBAC) was created in 2002 in order to investigate the feasibility and scope of stream restoration activities along the Black Brook corridor. The BBAC is comprised of representatives from The City of Manchester Conservation Commission and Parks and Recreation Department, Trout Unlimited, the National Park Service and the Department of Environmental Services. Several collaborative efforts are currently underway that will provide detailed recommendations and restoration strategies geared toward returning Black Brook to a more natural condition and function.

One of the major restoration initiatives identified by the BBAC is to investigate the potential removal of the dam on Maxwell Pond. The City of Manchester is currently faced with substantial financial obligations to repair and maintain the dam in order to maintain safety requirements and annual inspection fees etc. The City of Manchester wouldn't have to contribute any financial resources to a restoration project involving dam removal at Maxwell Pond.

The Black Brook Advisory Committee would like to request that a special meeting be convened by the Committee on Lands and Buildings to receive an informational presentation on the proposed Black Brook restoration efforts and specifically, the potential removal of the Maxwell Pond Dam. The presentation will focus upon restoration efforts, predicted benefits, financial incentives and the abundance of funding opportunities currently devoted to this project. Approximately 45 minutes would be required for the presentation and question and answer period to follow. Ultimately, we are seeking the approval of the Committee on Buildings and Lands to move forward with this effort and to provide a positive recommendation to the Board of Mayor and Alderman. Convening this proposed meeting by the end of April would be greatly appreciated as several of our funding sources are time sensitive. Please contact either of us with a proposed date and time or if you would like to discuss this request further. Thank you.

Sincerely,

Stephen C. Landry

NHDES, Merrimack Watershed Supervisor

(603) 271-2969

Jennifer Drociak

Manchester Conservation Commi

(603) 559-0028

RECEIVED

MAR 17 2004

CITY CLERK'S OFFICE

P.O. Box 95, 29 Hazen Drive, Concord, New Hampshire 03302-0095

Telephone: (603) 271-2457 • Fax: (603) 271-7894 • TDD Access: Relay NH 1-800-735-2964 DES Web site: www.des.nh.gov

7

MAXWELL POND DAM REMOVAL: RESTORATION OF BLACK BROOK IS FEASIBLE

HISTORY OF MAXWELL POND



Maxwell Pond was created by the installation of a dam on Black Brook in 1900. The pond was reportedly named for A.H. Maxwell, who owned the Manchester Coal & Ice Company at the time when ice was harvested there. Ice harvesting took place in the 1930's and '40's, when Maxwell Pond was considered the best source in Manchester for pure ice. The company was located upstream and would keep the ice cold with hay-bales and sell it year round.

Until the late 1950's, Maxwell Pond was a popular for swimming, picnicking, and fishing in the summer. In the winter months the pond provided a spot for skating, bonfires and hockey games. It was even considered for a secondary

municipal water source for the City of Manchester, but the idea was apparently abandoned sometime in the 1960's. In the late 1950's and early 1960's Maxwell Pond began to change when a cement company located upstream began impacting Black Brook by washing sediment into the streambed and impoundment.

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There are more than 4,800 active and inactive dams in the State of New Hampshire. Many of these dams were built during the Industrial Revolution in the 19th and early 20th centuries, and they played central roles in New Hampshire's economic and societal growth during that period. But as technological and societal needs have changed, so too has the need for some dams.

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- Elimination of a public safety hazard.
- Cost savings to taxpayers and dam owners.
- Improvement to water quality.
- Elimination of barriers to fish and other aquatic species.
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ECONOMIC ISSUES

The cost of keeping a dam safe, particularly when the dam is no longer serving an economic function, can represent a significant burden to the dam owner. Dam ownership requires ongoing financial responsibility. Sometimes the costs of operation and maintenance, liability protection, annual registration fees and other obligations of dam ownership may outweigh the benefits derived from the dam. Studies show that repairing a dam can often cost three times more than removing that dam. In addition, there are many potential funding sources. In this case, there are funding sources available to the City of Manchester from the Manchester Urban Ponds Restoration Program (UPRP), Department of Environmental Services (DES), NH Fish & Game Department (NHFG), Trout Unlimited (TU) among others. There would most likely be no cost to the City for dam removal, and all partners have been interested in seeking river restoration of this area.

SOCIAL ISSUES

Many people have concerns regarding dam removal, such as "will the river/waterbody disappear?" "will flooding occur?" or "will all the fish die?" Some concerns are based on lack of information while others are value-based. Many share both sets of concerns. However, proactive discussion rather than reactive decisions typically result in creative solutions.

WHAT PRE-RESTORATION WORK HAS BEEN COMPLETED?

During the Winter of 2001, DES and UPRP dug 310 holes in Maxwell Pond to examine sediment depth and locate the original brook channel. Sediment chemistry was then examined, and no contaminants were found. TU has been involved with surveying and aerial topographical mapping to examine channel morphological work. DES, NHFG, and TU also collected fish at four sites on Black Brook (two upstream from the impoundment and two downstream) to survey total population, weight, and lengths of the fish. At these same sites, macroinvertebrates (stream insects) were surveyed. Additional pre-restoration work (to be completed Summer 2003) will include a survey of fish inside the impoundment and additional channel cross-section work.

WHAT IS THE TIMEFRAME FOR POTENTIAL DAM REMOVAL AT MAXWELL POND?

FOR MORE INFORMATION

Contact the NH Department of Environmental Services, Water Division, Dam Bureau, River Restoration Coordinator at (603) 271-3406 or e-mail slindloff@des.state.nh.us. OR

The Manchester Urban Ponds Restoration Program at (603) 624-6450 or agrindle@ci.manchester.nh.us

October 21, 2003

Sally Fellows Office of the City Clerk One City Hall Plaza Manchester, NH 03101

Re: Lands & Buildings Committee Meeting Agenda for December 16, 2003

Dear Ms. Fellows:

I am writing to request that the Black Brook Advisory Committee be placed on the Lands & Buildings Committee agenda for Tuesday December 16, 2003.

The Black Brook Advisory Committee includes members from the Manchester Conservation Commission, Parks & Recreation Department, Department of Environmental Services, and other organizations. Their focus has been on Maxwell Pond dam removal and Black Brook river restoration.

During this meeting the Black Brook Advisory Committee would like to discuss the feasibility of dam removal/river restoration, the alternative of dam repair, monetary costs associated with and ecological components of both options. The Black Brook Advisory Committee is ideally looking for an Aldermanic vote in favor of dam removal/river restoration and would be willing to give a second presentation to the Mayor and Board of Alderman afterwards, if necessary.

Please let me know if the Black Brook Advisory Committee will be on the Lands & Buildings Committee agenda for Tuesday December 16, but contacting me at 647-1826 or jen.drociak@nh.gov.

Thank you and I look forward to hearing from you.

Sincerely,

Jen Drociak

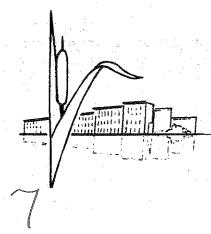
for broyak

Manchester Conservation Commission

REGETVED
OCT 27 2003
CITY CLERK'S OFFICE

Mayor's Office, One City Hall Plaza, Manchester, NH 03101 (603) 624-6450

MANCHESTER CONSERVATION COMMISSION



Black Brook Dam - Manchester, NH
Annual Maintanance Costs Incurred by Parks, Recreation and Cemetery Department

City of Manchester - Maintenance and Associated Costs

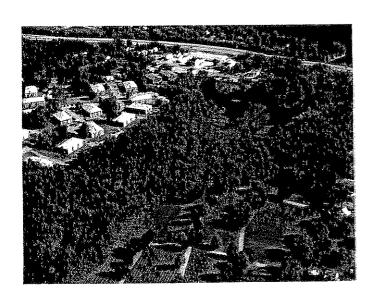
Work Description	Frequency	Year Completed		Cost		Annual Cost	
Work Description							
Annual Maintenance	Yearly	2002	\$	950.00	\$	950.00	
Allitual Mainterlance							
Dam Inspection by NHDES	Yearly	2002	\$	300.00	\$	300.00	
						0.040.00	
Emergency Action Plan (EAP)	5yrs.	1998	\$	14,200.00	\$	2,840.00	
						1,382.77	
Repair & Improvements	15 yrs	1986	\$	20,741.60	\$	1,362.11	

Average Annual Costs

5,472.77



black_brook-19.jpg



black_brook-22.jpg



black_brook-20.jpg



black_brook-23.jpg

Page 1

11/15/2004

Black Brook Dam Removal Manchester, NH Cost Estimate

I.	LABOR (4 men crew)	Labor Cost	Duration (days)
	Mobilization Labor Cost - (\$23.46/hr x 8 hrs/day x 4men x 3 days)	\$2,252.16	3
	Site Preparation & Water Control Labor Cost - (\$23.46/hr x 8hrs/day x 4 men x 2 days)	\$1,501.44	2
	Demolition and Debris Removal Labor Cost - (\$23.46/hr x 8 hrs/day x 4men x 10days)	\$7,507.20	10
	Demobolization and Restoration Labor Cost - (\$23.46/hr x 8 hrs/day x 4 men x 8 day)	\$6,005.76	8
	Total Labor Cost=	\$17,266.56	
	Total # of Days=		23
11.	EQUIPMENT	-4-5	· · · · · · · · · · · · · · · · · · ·
	In-House Rental (See attached "Dam Project Equipment Rental sheet	\$4,652.00	\$4,652.00
	Rental - Excavator w/ Hammer (1 week @\$3,500/wk)	\$3,500.00	
	Rental - Excavator w/ thumb		
-	(2 weeks @ \$2,500/wk)	\$3,000.00	
	Total equipment cost =	\$11,152.00	
Ш.	MATERIALS	• • • • • • • • • • • • • • • • • • •	
	Misc rip-rap, gravel, turbidity curtains, silt fence, etc.	\$6,000.00	
	Total Materials Cost = _	\$6,000.00	



Page 2

11/15/2004

Black Brook Dam Removal Manchester, NH Cost Estimate

V.	PLA	NNING	& PRO	JECT	OVERSIGHT
----	-----	-------	-------	------	-----------

	4 w	reeks @ \$1,500 per week		\$6,000.00
	In-	State Travel- 4 weeks @ 60mi/day,	\$.375/mi	\$450.00
			Total Engineering Cost =	\$6,450.00
VIII.	Su	mmary		
	A.	Labor		\$17,266.56
	В.	Equipment		\$11,152.00
	C.	Materials		\$6,000.00
	G.	Planning & Project Oversight		\$6,450.00
	F.	20% contingencies		\$8,173.71
			Total Project Cost =	\$49.042.27

Dam Project - Equipment Rental Project Estimate

Dam Project: Black Brook Dam Removal

Dam No.: PD 150.07

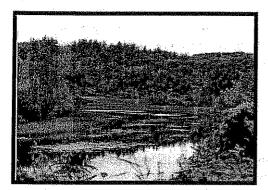
Equipment Item	Class	No. of Days	Daily Rate	No. of Hours	Hourly Rate	Total \$\$
Brush Hog - WOODS	N/A		\$35.00		\$0.00	\$0.00
Brush Hog - JOHN DEERE	N/A		\$35.00		\$0.00	\$0.00
Brush Hog - JOHN DEERE	N/A		\$35.00		\$0.00	\$0.00
Compressor, Air (Le-Roi) (TR-552)	11001	14.00	\$11.95	84.00	\$2.22	\$353.78
Crane, Drott (ES-131)	19009		\$79.37		\$5.55	\$0.00
Crane, Quickway (ES-116)	19009		573.37		\$5,55	\$0.00
Crane, Quickway (ES-118)	19009		\$73.37		\$5,55	\$0.00
Dozer Backhoe TD-7	49003		\$31.78		\$3,00	\$0.00
EXCAVATOR - CASE 9010D	N/A		\$206.40		\$25.80	\$0.00
Jackhammer	N/A	5.00	\$24.00	·	N/A	\$120.00
Loader, Michigan (ES-135)	33002		\$52.85		\$ 64.00/	\$0.00
Loader, Michigan (ES-7?)	33002		\$52,85		\$4.00	\$0.00
Mower, Slope Master	49001	-	\$9.08		\$4.27	\$0.00
Mowers, Ferris	N/A	·	\$18.00		\$2,25	\$0.00
Mowers, Lawn (Small)	N/A	·	814/50		\$1,50	\$0.00
Saw, Hydraulic Concrete (18hp)	N/A	5.00	\$50.00	8.00	\$26.50	\$454.00
Saw, Brush	N/A	*	\$14.25		\$1,90	\$0.00
Saw, Chain (16"-19" blade)	N/A		\$14:25		\$1:90	\$0.00
Stomper, Stone/Compaction	N/A		\$37,50		\$4.69	\$0.00
Tractor, Ford	49001		\$9.08		\$4,27	\$0.00
Tractor, John Deere (no backhoe)	49001		\$9.08		\$4.27	\$0.00
Tractor, John Deere w/backhoe	49003		\$31.78		\$3.00	\$0.00
Trailer, 21-TON Rogers (TR-626)	53002	4.00	7-4-1512:17	20.00	\$2.43	\$97.28
Trailer, Low-Bed 12-Ton (TR-550)	53002		\$12,17		F:45% \$2.43	\$0.00
Trailer, Hudson (TR-547)	53002		\$12:17		\$2.43	\$0.00
Trailer, Pequea (TR-670)	53002		\$12,17		\$2,43	\$0.00
Trailer, Pequea (TR-836)	53002		\$12.17		\$2.43	\$0.00
Trailer, Utility PJ (TR-464)	53002		\$12.17		\$2,43	\$0.00
Trailer, Const. Office (TR-???)	53007		57.87		N/A	\$0.00
Trimmers, Weed	N/A		\$14.25		\$1.90	\$0.00
Truck, 2-Ton Dump (ES114)	55010		\$44.23		\$2.89	\$0.00
Truck, 5-Ton Dump (ES115)	55011		\$41.62		\$5,36	\$0.00
Truck, 10-Wheel Dump (ES-110)	55012	20.00	\$50.52	120.00	\$7.81	\$1,923.60
Welder/Generator	11001	10.00	\$14.95	60.00	\$2.22	\$252.70
Wood Chipper 16T-300 (TR-551)	N/A		\$75.75		\$10,10	\$0.00
Wood Chipper (ES-133)	N/A		\$75.75		\$10.10	\$0.00
Wood Chipper 6" (TR-755)	N/A		\$44.25		\$5.90	\$0.00

Equipment Item	Class	No. of Days	- Daily Rate	No. of Miles	Cost/Mile :	Total\$\$
1 Ton Crew Cab (ES113) Bill	55009	20.00	\$33.75	1,200.00	\$0,15	\$855.00
1 Ton Crew Cab (ES117) Bat Truck	55009		\$33.75		\$0.15	\$0.00
1 Ton Crew Cab (ES152) Jim	55009		\$33.75		\$0.15	\$0.00
1 Ton Dump Truck (ES 153)	55009		\$33.75		\$0.15	\$0.00
3/4 Ton PU Truck (ES 42) Chris	55015	20.00	\$23.75	1,200.00	\$0.10	\$595.00
3/4 Ton PU Truck (ES 44)	55015		\$23.75		\$0.10	\$0.00
3/4 Ton PU Truck (ES121) Old	55015		\$23.75		\$0.10	\$0.00
3/4 Ton PU Truck (ES151)	55015		\$23.75		\$0.10	\$0.00
3/4 Ton PU Truck (ES165)	55015		\$23.75	'	\$0.10	\$0.00
1/2 Ton Plow Truck (ES122)	55008		\$19.33	·	\$0.08	\$0.00

\$4,651.36 PAGE TOTAL:

MAXWELL POND DAM REMOVAL: RESTORATION OF BLACK BROOK IS FEASIBLE

HISTORY OF MAXWELL POND



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A cost estimate for removal of the Maxwell Pond Dam was generated by the DES Dam Bureau in November of 2004. This estimate includes labor, equipment, materials and project oversight and totaled \$49,042.27. Additional funds would be secured for post-removal restoration to be completed along the dewatered areas surrounding the new channel. This one time project cost should be compared to the annual operating cost of \$5,500.00 that the City of Manchester is responsible for.

FOR MORE INFORMATION

Contact the NH Department of Environmental Services, Water Division, Dam Bureau, River Restoration Coordinator at (603) 271-3503 or the Manchester Urban Ponds Restoration Program at (603) 624-6450.



City of Manchester Planning and Community Development One City Hall Plaza Manchester, New Hampshire 03101 603-624-6450 Fax (603-624-6529)

DB-GRAM

To:

City Clerk's Office

From:

David Beauchesne, Urban Planner 7

Date:

10 November, 2004

Re:

Draft City of Manchester Policy Regarding Private Sector Use of the Former

Portsmouth Branch Railroad Line Right-of-Way

Attached please find a copy of the above reference document with associated map.

City of Manchester Policy Regarding Private Sector Use of the Former Portsmouth Branch Railroad Line Right-of-Way

- 1. BECAUSE the conveyance deed which transferred the former Portsmouth Branch Line right-of-way from the State of New Hampshire to the City of Manchester requires that the City of Manchester "shall use and manage the abandoned railroad corridor as a recreational trail for use by the general public", and
- 2. BECAUSE that same deed requires that "Any future alterations by the City of Manchester to the abandoned railroad corridor shall necessitate review by the Federal Highway Administration relative to the Section 106 historic review process"; and
- 3. BECAUSE that same deed requires that the "City of Manchester must obtain approval from the New Hampshire Department of Transportation before selling any portion of the abandoned railroad corridor"; and
- 4. BECAUSE that same deed reserves to the State of New Hampshire "a transportation easement, 30 feet in width, crossing all the [parcels associated with the former Portsmouth Branch Line ROW] for any mode of public travel. . . . ", and
- 5. *BECAUSE* any application by the City for state and federal Section 106 historic review which would be necessitated by any alteration to the former Portsmouth Branch railroad corridor would represent a significant time and monetary expense to the City;
- 6. It is CONSEQUENTLY the policy of the City of Manchester to

PROMOTE the development of authorized public recreational uses along the former Portsmouth Branch railroad corridor; and, in order to satisfactorily ensure this end,

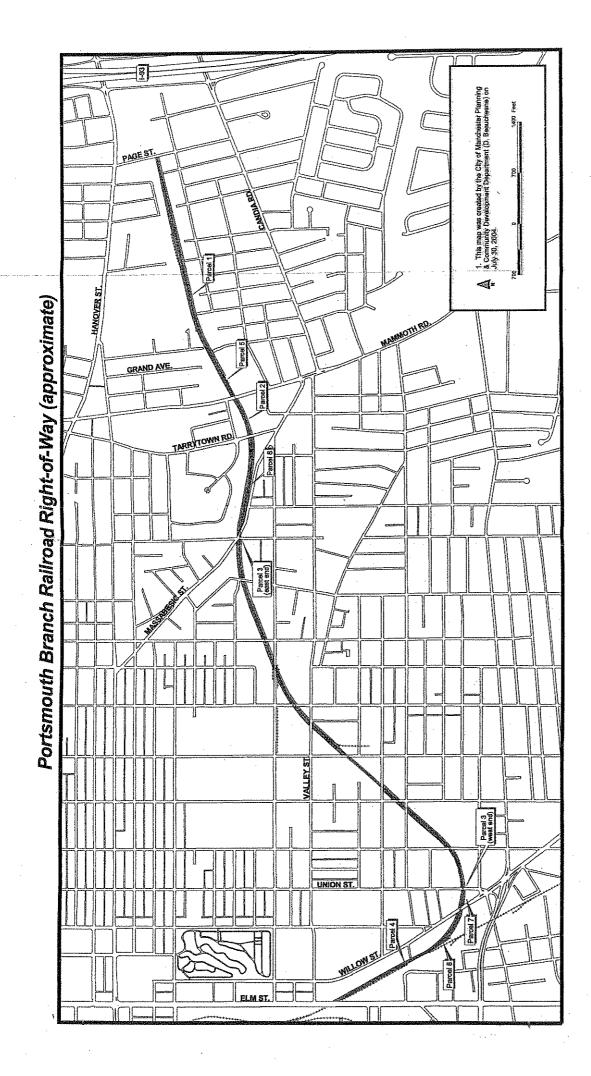
DISCOURAGE private sector uses on any portion of the former Portsmouth Branch railroad corridor.

- 7. In any exceptional case where the City is considering the authorization of private sector use of any portion of the former Portsmouth Branch railroad corridor, it is also the policy of the City of Manchester to ensure the following:
 - (a) That any terrain alteration activities will be strictly limited to removal of steel rails and wooden ballast works, the installation of recreational trails, and/or installation of a loam and grass seed cover and that any such activity and work will be carried out under the supervision, and to the satisfaction, of the Parks, Recreation and Cemetery Department;
 - (b) That all approved terrain alteration, recreational trail installation, and/or loam and grass seeding activity will be carried out and paid for by the authorized private sector entity;
 - (c) That no structure or object, including fencing, not related to recreational trail usage will be constructed or placed within any portion of the former Portsmouth Branch railroad corridor;
 - (d) That the general public will retain continual freedom of movement over the entire area of the Portsmouth Branch railroad corridor;

8-9+10

- (e) That no use will be authorized if its current or future purpose is to satisfy, or aid in satisfying for any private sector person or entity, any zoning ordinance, site plan or subdivision requirement, or any other municipal ordinance or regulation;
- (f) That no use will be authorized if any activity associated with that use would sufficiently alter the former Portsmouth Branch railroad corridor in such as way as to necessitate any state or federal evaluation under the Section 106 historic review process;
- (g) That any and all uses permitted by the City shall be by written license;
- (h) That any and all issued licenses shall contain a provision which will allow it to be revocable by the City, in its sole discretion at any time for any reason. Upon revocation the private person or entity shall return Portsmouth Branch corridor to its original condition or to such condition as the Parks, Recreation and Cemeteries Department shall direct; and
- (i) That any issued license may contain any provision deemed reasonable by the City Solicitor to carry out the intent of this policy or for any other purpose.

8-9+10



8-9+10

JMS VALLEY GROVE, LLC P.O. BOX 6482 MANCHESTER, NH 03108-6482 603-626-7333

Alderman Henry R. Thibault Chairman of Lands and Building Committee City of Manchester One City Hall Plaza Manchester, NH 03101

Dear Mr. Thibault.

After speaking with Mr. Osborne, Mr. Johnson and the DPW, they recommended that I direct my requests to your office. My brother Mark and I own and manage the Valley Grove Apartments located in the 700 series on Valley and Grove Streets, just north of Belmont. Since purchasing the property we have dedicated our efforts to capital improvements of the buildings interiors. Now that spring is upon us, we would like to positively enhance our neighborhood by maintaining the rail bed that separates the properties. Specifically, we would like to create an open space area that would be conducive for children to play unimpeded by the liability surrounding the iron rails and the wooden supports below them.

Our proposals would not, in any way, financially burden the city and would in fact lessen or eliminate a potential hot spot for injury. Mark and I would like to remove the railroad tracks, spread loam and seed creating a grassed play area for the children of the apartment complex. Our plans do not include the use of any recreational structures or any outside contractors. Rough drawings of our intentions are included herein.

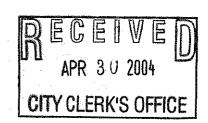
We certainly would appreciate any of your recommendations.

Sincerely.

Steve Mscisz Manager

JMS Valley Grove Apartments

603-626-7333





	VALLEY ST.			
744 VALLEY Apris	PARKING	722 VALLEY Apris	LUIGIS REST	38
FENCE NEW FEA	PROPOSED AREA!	NEW PENCE	PARKING.	BECMONT ST
PARKING	739 GROVE APTS	733 GROVE APTS	- TAREBUSY	

GROVE ST.

To: Committee on Lands and Buildings

From: Board of Assessors Date: December 15, 2004

Re:

Map 129 Lot 12

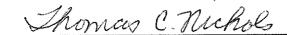
Owner of abutting property- MMSM LLC Address: 722- 744 Valley St & 733 Grove Street

Request to Purchase Property or Lease/License Property

The Assessors have completed an analysis of the estimated market value of the above referenced property. An analysis of the available assessing records has been completed. A review of sales of excess B & M railroad tract land has also been completed. The following is a summary of important facts, and the value estimate:

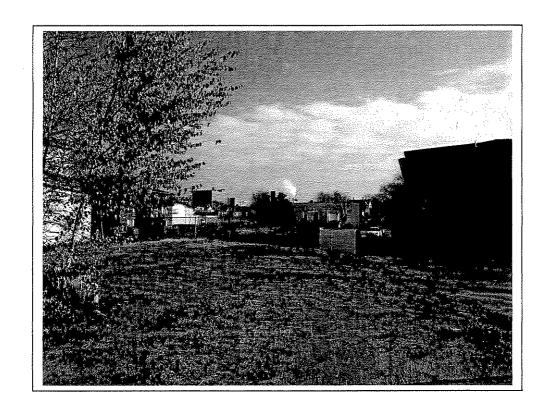
Property Location	Land is located between Valley and Grove Street & Belmont and Taylor
Assessors Map/Lot	Map 129 Lot is not assigned
Property Owner	City of Manchester, NH
Deed Book/Page	Deeded 1/10/02 Book 6561 Page 1308
Date Acquired	Jan 11, 2002
Improved/Vacant	Vacant
Total Land Area	14,362
Current Zoning	RDV Which means Any permitted use
Easements/Restrictions	Railroad
Utilities Available	All
Total Current	\$0
Assessment	
Indicated Range of	\$4.00 per foot
Value/Unit	
Indicated Range of	\$57,448
Value	
Comments	We are using \$4.00 per sq. ft, which is what B & M is selling
	land to individuals that purchase land in areas like this one.

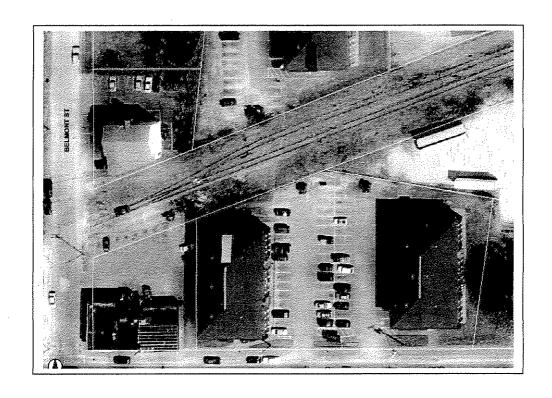
Respectfully submitted by the Board of Assessors,





JMS Valley Grove Apartments









Robert S. MacKenzie, AICP

July 22, 2004

CITY OF MANCHESTER

Planning and Community Development

Planning
Community Improvement Program
Growth Management



Staff to:
Planning Board
Heritage Commission
Millyard Design Review Committee

Committee on Land and Buildings

Honorable Board of Mayor and Aldermen City Hall - One City Hall Plaza Manchester, N.H. 03101

RE: Disposition of city-owned land located between Valley and Grove Streets previously owned by the B&B Railroad Company

Dear Committee Members:

This is to provide a report pursuant to Section 23½ pertaining to the above-referenced city-owned land.

The City recently received a letter from JMS Valley Grove LLC inquiring about the possibility of acquiring, or receiving permission to use, an approximately 200 foot long section of the city-owned former Portsmouth Branch rail corridor which passes between the Valley Grove Apartment complex which is located on Valley and Grove Streets a short distance to the east of Belmont Street. The specific purpose for their request is to acquire land which may be used as a private playground for the lessees of their several abutting apartment buildings; one aspect of their plan involves fencing off any city-owned land they may acquire for their private and exclusive use.

Evidence from a recent site visit appears to indicate that agents for JMS Valley Grove LLC have already erected a timber barrier across the former rail ROW at the east end of their properties, removed and disposed of at least 200+ feet of city-owned steel rails and supportive timber ballast which previously crossed that area, and they have proceeded to loam, seed and water that city-owned land in a manner conducive to exclusive private use. Thus, through their current request, JMS Valley Grove, LLC, appears to be seeking retroactive authorization to use and/or own land which they have already altered and occupied without permission.

Surplus Determination: The Planning Department has reviewed the affected properties and communicated with the Parks Department about this matter and we wish to report, as we have in similar cases in the past, that in transferring ownership of this ROW to the City, the State of New Hampshire included a deed provision which requires that the subject rail ROW be used as a recreational trail. With this in mind, it would appear that any kind of sale of this former rail ROW to private sector interests would be in violation of this agreement and, as a result, we do not recommend that any portion of the ROW be determined surplus to City needs.

Disposition: While the applicant's development of the subject land in advance of any formal permission to use it is improper, our sense is that their proposed use of the land is inoffensive and we would recommend the following disposition: if it would not obstruct or otherwise compromise any portion of the City's future pedestrian/ bicycle trail plan, the Committee may wish to recommend that a license be issued to JMS Valley Grove LLC allowing their use of an appropriate portion of the subject ROW for their playground needs. Our advice is based on the condition that (a) no private fence be placed on any part of the ROW; (b) no permanent structure be erected on the ROW; and (c) the public continue to have, as it does now, freedom of movement along the entire length of the former rail corridor.

Sincerely.

Robert S. MacKenzie Director of Planning



One City Hall Plaza, Manchester, New Hampshire 03101 Phone: (603) 624-6450 FAX: (603) 624-6529 E-mail: planning@ci.manchester.nh.us www.ci.manchester.nh.us

TM 129 / Lot 6

733 Grove St. MMSM LLC 1.04 Acres

1.00 Acre

PARCEL INFO





CITY OF MANCHESTER Parks, Recreation & Cemetery Department

625 Mammoth Road Manchester, NH 03104-5491 (603) 624-6565 Administrative Office (603) 624-6514 Cemetery Division (603) 624-6569 Fax

COMMISSION

George "Butch" Joseph, Chairman Steve Johnson, Clerk Michael Worsley Joseph Sullivan Sandra Lambert Ronald Ludwig, Director

July 26, 2004

Alderman Henry Thibault, Chairman - Lands & Buildings Committee Board of Mayor & Aldermen One City Hall Plaza Manchester, NH 03101

Re: Abandoned Rail Corridors

Dear Alderman Thibault:

In 2001, the New Hampshire Department of Transportation transferred ownership of the Manchester and Portsmouth Branch railroad corridor to the City for use as a recreational trail. However, the state placed several restrictions on the use of this property that must be considered before a decision is made regarding requests from abutters to utilize portions of this property.

At the May 26, 2004 Lands and Buildings Committee meeting, a vote was taken to table these requests pending development of a standard policy by City staff. I recently met with Tom Arnold from the City Solicitor's Office and David Beauchense from the Planning Department to discuss what should be included in this policy. While our meeting was productive, we will need some additional time to develop a written policy for your review.

In view of the restrictions placed on this property by the State and the City's long range plans for a recreational trail, it is certain that we will not recommend fee simple purchases. It may be possible to develop an agreement for temporary use that would not include any structures with a reversionary clause that would allow the City to construct a recreational trail at a future date.

We will have our recommendations for this policy available for your next scheduled meeting.

Sincerely yours,

Ron Johnson, Deputy Director

cc: Thomas Arnold, Deputy City Solicitor

David Beauchense, Planning & Community Development



To the Honorable Board of Mayor and Alderman of the City of Manchester: Lands & Buildings Committee

I am writing you today to request a meeting to acquire property previously owned by Boston & Maine Railroad Co., now owned by The State of New Hampshire. Said property is located at Belmont Street with Valley St. as a cross street on the southwest and Grove St. on the Northeast. It is located on map #128.

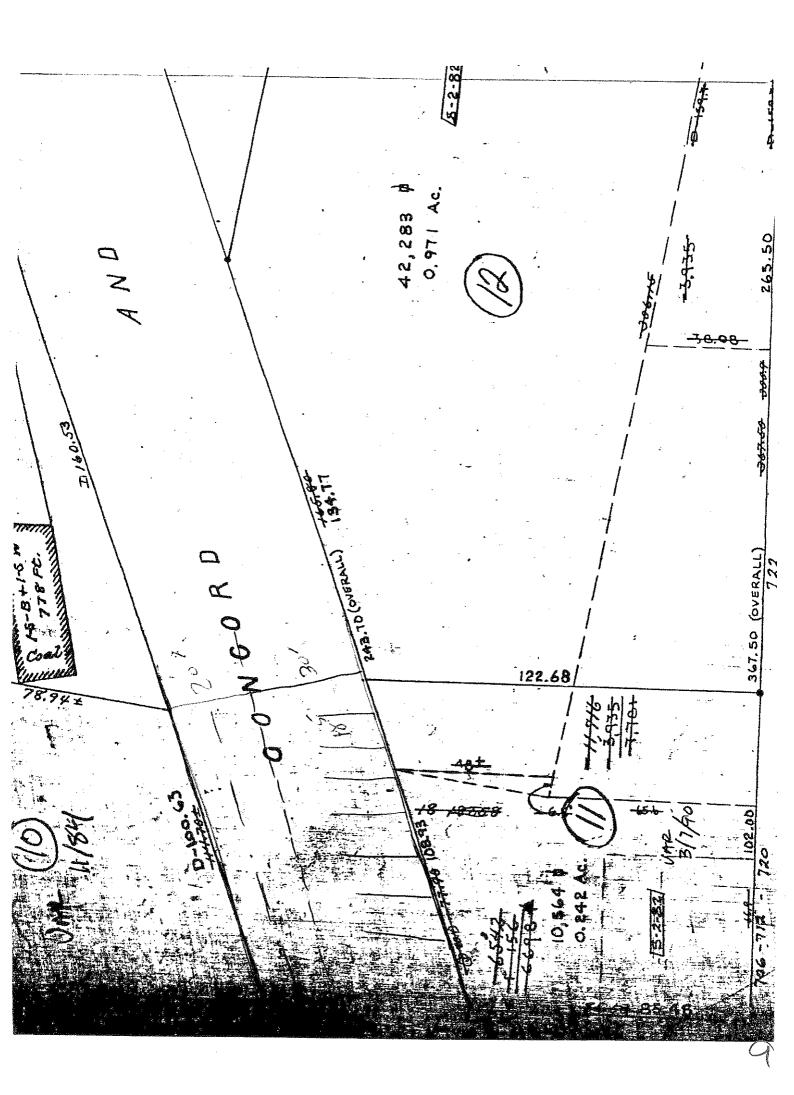
The reason for this request is that I own Property & Business located at 706 to 722 Valley Street, said property is behind my business known as Luigi's Pizza Bar & Grille. I would like to clean up old railroad tracks and use it as additional parking. I understand that said property is to be used as a Bike trail. Property's width is approximately 50 feet 20 feet should be adequate for bike trail the remaining 30 feet is what I would like to redevelop and use as additional parking. Enclosed is a rough drawing for the redevelopment and use of property.

I look forward to meeting with you to discuss this matter further. Thank You!!

Dated at the City of Manchester, New Hampshire this

__day of September 2003.

Rallitsa M. Kostakis



KNOW ALL MEN BY THESE PRESENTS

THAT, The State of New Hampshire, whose mailing address is the Department of Transportation, 1 Hazen Drive, P.O. Box 483, Concord, NH 03302-0483, pursuant to RSA 4:40 and RSA 228:67, for considerations paid to it in hand before the delivery hereof, well and truly paid by the City of Manchester, a municipal corporation, whose mailing address is 1 City Hall Plaza, Manchester, NH 03101-2097, has remised, released and forever QUITCLAIMED, and by these presents, does remise, release and forever quitclaim unto said City of Manchester, its successors, and assigns forever:

Any and all interest the State of New Hampshire has in a portion of the abandoned Portsmouth Branch railroad corridor, including all stations, buildings, bridges, structures, crossings, culverts and improvements thereon and including all appurtenances thereto and formerly owned by the Boston and Maine Corporation, the Elliot Hospital of the City of Manchester, 67 Willow Street Realty, L.L.C., and the Flying Horse Realty, Inc., located in the City of Manchester, bounded and described as follows:

Parcel 1:

Beginning at a point designated as Engineering Station 1967+70+/- located on the westerly sideline of Page Street as shown on Railroad Valuation Plan V28NH, Map 38; thence running generally in a westerly direction to a point designated as Engineering Station 1997+50+/- as shown on Railroad Valuation Plan V28NH, Map 39.

Parcel 2:

Beginning at a point designated as Engineering Station 2002+90+/- located on the westerly sideline of Mammoth Road as shown on Railroad Valuation Plan V28NH, Map 39; thence running generally in a westerly direction to a point designated as Engineering Station 2008+05+/- at the easterly sideline of Hall Road as shown on Railroad Valuation Plan V28NH, Map 39.

Parcel 3:

Beginning at a point designated as Engineering Station 2021+70+/- located on the westerly sideline of Massabesic Street as shown on Railroad Valuation Plan V28NH, Map 39; thence running generally in a westerly direction to a point designated as Engineering Station 2080+80+/- at the easterly sideline of Union Street as shown on Railroad Valuation Plan V28NH, Map 41.

Parcel 4:

Beginning at a point designated as Engineering Station 2094+12+/- as shown on Railroad Valuation Plan V28NH, Map 41; thence running generally in a northwesterly direction to a point designated as Engineering Station 2104+28+/- at the easterly sideline of Elm Street as shown on Railroad Valuation Plan V28NH, Map 41.

Meaning and intending to convey all the railroad corridor conveyed to the State of New Hampshire by the Boston and Maine Corporation by a deed recorded in the Hillsborough County Registry of Deed in Book 6200, Pages 40 - 48 on January 11, 2000, said parcels containing an area of 12.45 acres, more or less.

Parcel 5:

Beginning at a point designated as Engineering Station 1997+50+/- as shown on Railroad Valuation Plan V28NH, Map 39; thence running generally in a westerly direction to a point designated as Engineering Station 2002+44+/- located on the easterly sideline of Mammoth Road as shown on Railroad Valuation Plan V28NH, Map 39.

Meaning and intending to convey all the railroad corridor conveyed to the State of New Hampshire by the Boston and Maine Corporation by a deed recorded in the Hillsborough County Registry of Deed in Book 5719, Pages 215 - 221 on May 21, 1996, said parcel containing an area of 0.66 acres, more or less.

Parcel 6:

Beginning at a point designated as Engineering Station 2008+61+/- located on the westerly sideline of Hall Street as shown on Railroad Valuation Plan V28NH, Map 39; thence running generally in a westerly direction to a point designated as Engineering Station 2021+76+/- at the easterly sideline of Massabesic Street as shown on Railroad Valuation Plan V28NH, Map 39.

Meaning and intending to convey all the railroad corridor conveyed to the State of New Hampshire by the Elliot Hospital of the City of Manchester by an easement recorded in the Hillsborough County Registry of Deed in Book 5645, Pages 1085 - 1087 on August 1, 1995, said parcel containing an area of 0.60 acres, more or less.

Parcel 7:

Beginning at a point designated as Engineering Station 2081+13+/- located on the westerly sideline of Union Street as shown on Railroad Valuation Plan V28NH, Map 41; thence running generally in a westerly direction to a point designated as Engineering Station 2083+33+/- at the easterly sideline of Willow Street as shown on Railroad Valuation Plan V28NH, Map 41.

Meaning and intending to convey all the railroad corridor conveyed to the State of New Hampshire by the 67 Willow Street Realty, L.L.C. by an easement recorded in the Hillsborough County Registry of Deed in Book 6513, Pages 131 - 132 on October 30, 2001, said parcel containing an area of 0.15 acres, more or less.

Parcel 8:

Beginning at the southerly most point of said premises, at an iron pin with cap to be set: thence along a curve westerly along said percel with a radius of 962 57 feet, a distance of 470.56 feet to a point; thence N8°25'43"W a distance of 108.31 feet to a point; thence along a curve southeasterly with a radius of 932.57 feet to a point on Willow Street in Manchester, New Hampshire; thence S13°52'44" east a distance of 45.99 feet to the point of beginning, as shown on plan entitled "Easement Plan of Land prepared for Flying Horse Realty Inc., in Manchester, NH, scale 1" = 40", Date: January 11, 2000", prepared by Duval Survey, Inc., 14 Dartmouth Street, Hooksett, NH 03103, and recorded in the Hillsborough County Registry of Deeds as Plan No. 30334.

Meaning and intending to convey all the railroad corridor conveyed to the State of New Hampshire by the Flying Horse Realty, Inc., by an easement recorded in the Hillsborough County Registry of Deed in Book 6208, Pages 26 - 27 on February 9, 2000, said parcel containing an area of 0.34 acres, more or less.



As a further condition of this instrument, the City of Manchester agrees to the following:

- 1.) The City of Manchester shall use and manage the abandoned railroad corridor as a recreational trail for use by the general public.
- 2.) Any future alterations by the City of Manchester to the abandoned railroad corridor shall necessitate review by the Federal Highway Administration relative to the Section 106 historic review process.
- 3.) The City of Manchester must obtain approval from the New Hampshire Department of Transportation before selling any portion of the abandoned railroad corridor.

Excepting and Reserving, to the State of New Hampshire by or through its Department of Transportation of any successor agency, a transportation easement, 30 feet in width, crossing all the above-described parcels for any mode of public travel, including, but not limited to, vehicular, railroad, bus, or other form of mass transit, pedestrian, bicycle, snowmobile (not including motorcycles) or other form of recreational travel.

TO HAVE AND TO HOLD said premises, with all the privileges and appurtenances thereunto belonging to the City of Manchester, its successors and assigns forever.

IN WITNESS WHEREOF, The State of New Hampshire has caused its name to be set and its seal to be hereunto affixed by the Commissioner of the New Hampshire Department of Transportation, duly authorized and executed this 14th day of became, 20 61.

Signed, Sealed and Delivered in the presence of

STATE OF NEW HAMPSHIRE DEPARTMENT OF TRANSPORTATION

Commissioner

THE STATE OF NEW HAMPSHIRE

COUNTY OF MERRIMACK

On this 147h day of Necenter, 20 01, before me, 1 1ANC undersigned officer, personally appeared the Commissioner of the Department of Transportation, and that as such Commissioner, being authorized so to do, executed the forgoing instrument for the purposes therein contained, by signing the name of the State of New Hampshire as the Commissioner of the Department of Transportation.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

DIANE L. HARTFORD Notary Public My Commission Every adject 2004

Approved by New Hampshire Council on Resources and Development on July 14, 2000. Approved by Long Range Capital Planning and Utilization Committee on August 22, 2001.

Approved by Governor and Executive Council on October 10, 2001, Item # 146.

To: Committee on Lands and Buildings

From: Board of Assessors Date: December 15, 2004

Re: Map 129

Owner- Litsas LLC- Peter Kostakis

Request to Purchase Property or Lease/License Property

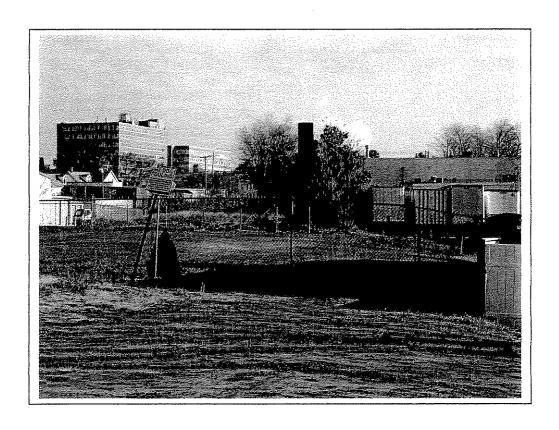
The Assessors have completed an analysis of the estimated market value of the above referenced property. An analysis of the available assessing records has been completed. A review of sales of excess B & M railroad tract land has also been completed. The following is a summary of important facts, and the value estimate:

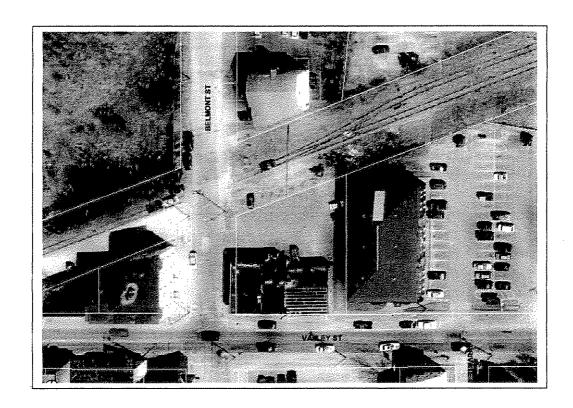
Property Location	Land is located Valley and Belmont St. in back of Luigi's Pizza
Assessors Map/Lot	Map 129 Lot is not assigned
Property Owner	City of Manchester, NH
Deed Book/Page	Deeded 1/10/02 Book 6561 Page 1308
Date Acquired	Jan 11, 2002
Improved/Vacant	Vacant
Total Land Area	6,621
Current Zoning	RDV Which means Any permitted use
Easements/Restrictions	Railroad
Utilities Available	All
Total Current	\$0
Assessment	
Indicated Range of	\$4.00 per foot
Value/Unit	
Indicated Range of	\$26,484
Value	
Comments	We are using \$4.00 per sq. ft, which is what B & M is selling
	land to individuals that purchase land in areas like this one.

Respectfully submitted by the Board of Assessors,

Thomas C. Nichols

Luigi's Pizza





Assessed Value 68,700 Land Value 44,20 179,30 2,900 4,900 44,200 177,700 179,30 44,20 125,700 Income Valuation MANCHESTER, NH NOISIA This signature acknowledges a visit by a Data Collector or Assessor VISTVCHANGE HISTORY Print Date: 10/03/2003 08:46 Purpose/Result Meas & Int Insp. Meas & Int Insp. 44,200 [991] 3260 130,200 [991] 3260 4,900 Unit Price 4.18 APPRAISED VALUE SUMMARY Total Land Value Total: 88 44,200 130,200 4,900 PREVIOUS ASSESSMENTS (HISTORY) 179.300 Assessed Value 40) DP DP 179,300 Assessed Value Notes- Adj/Special Pricing Net Total Appraised Parcel Value Date 10/3/2000 8/30/1990 Appraised Bldg. Value (Card)
Appraised XF (B) Value (Bldg)
Appraised OB (L) Value (Bldg)
Appraised Land Value (Bldg)
Special Land Value Total Appraised Card Value Total Appraised Parcel Value Valuation Method: URRENT ASSESSMENT 44,200 130,200 4,900 Appraised Value 179,300
 Value
 Yr.
 Code

 44,2002001
 3260

 130,2002001
 3260

 4,9002001
 3260
 0 Comments Total 179,300 Card 1.00 Code 3260 3260 3260 Assessed Value 10,564 SF Nbhd. Date Comp. Сопт. Іні. 1.00 C. Factor COM LAND. COMMERC. COMMERC. Bldg #: Yr. Code 2002 3260 2002 3260 2002 3260 Fotal: LAND LINE VALUATION SECTION Amount % Comp. I. Factor S.I. 1.00 1 OTHER ASSESSMENTS Parcel Total Land Area; BK-VOLPAGE SALE DATE 4/4 | M | SALE PRICE | V.C. 9 LOCATION C 03103-4307 315,000RAD OR CAD RAD = 390 Old LUC Insp. Date Corner Urban Number 4,18 Unit Price Curb & Gutte9 MAP ID: 0129//0011/7 UTILITIES STRT. ROAD Sketch Note Land Class Parcel Zip BUILDING PERMIT RECORD SCPPLEMENTAL DATE Sidewalk Amount Paved Description 10,564.00 SF S 05/29/2003 06/11/1982 08/20/1981 Units 10,564.00 Other ID; All Public 20856512 NO 10564 Code ž Total Card Land Units Description 6941/1700 Depth rontage/Dep TOPO Account #
Land Adjust
Voided
Total SF Suitable Amount Level SIS ID: D Frontage one Total: **Zone** RECORD OF OWNERSHIP EXEMPTIONS DBA-VALLEY MAJOR APPLIANC Type CURRENTOUNER Type/Description Description REST/CLUBS TSOURVAKAS, VISSARION C SOCHA EDWARD JJR MARTEL CLEMENS M Issue Date MANCHESTER, NH 03103 DBA-LUIGI'S PIZZA Additional Owners: Use Code Vision ID: 4073 TTSAS LLC TESAS LLC 3260 Permit ID E PARTS Year ₿#

TARTE TOCHRONS 100 YALLEY ST

Print Date: 10/03/2003 08 2, BAS SLB 422 17 SKETCH <u>_</u> foCard47 3 32 28 Bldg #: BAS SLB BAS 001 Z Value 288,156 2,905 508 100 400 2.500 22,657 314,227 CONDOMOBILE HOME DATA Apr. Value Factor MAP ID: 0129//0011// Undeprec. Description OB-OUTBUILDING & VARD ITEMS(I) / XF-BUILDING EXTRA FEATURES(B) AVERAGE WOOD FRAME AVERAGE CEIL & WALLS AVERAGE COST-MARKETIVALUATION Commercial Data Elements 72.62 314,227 1910 (AV) 1941 60 %CndDescription 73.00 0.98489 1.01 £5.001 1000 1000 72.62 14.67 18.16 0.00 18.16 125,700 4,327 Bldg Val: Unit Cost Other ID: Ü BUILDING SUB-AREA SUMMARY SECTION Eff. Area 3,968 40 7 7 312 Code Ċ. tce Yr. 0.90 1990 88.00 1986 20.00 1941 2.00 1941 222 920 Spect. Cond. Code Spect Cond % Overall % Cond. Deprec, Bldg Value Number of Units Number of Levels % Ownership Rooms/Prtus % Common Wall Wall Height Adj. Base Rate-Bidg. Value New Year Built Eff. Year Built Nrml Physel Dep Funcal Obslac Econ Obslac Heat & AC Frame Type Baths/Plumbing Jnadj. Base Rate Size Adj. Factor Grade (Q) Index CONSTRUCTION DEFILIT Complex Floor Adj Unit Location Element Ceiling/Wall Unit Price Gross Area 3,968 198 2,720 1,248 8,162 Slement Living Area 3,968 3,968 3,086 Units 7,305 Percentage . 100 Description Zero Bedrooms Zero Bathrms ommercial 1% Brick/Masonry Jedar or Redwd lot Air-no Duc tolled Compos Pine Paneling Hardwood)rywall/Sheet estaurant AIN GANIN verage Story arpet Canopy Porch, Open, Finished Slab Description PAVING-ASPHALT W/MOTOR & LTS COOLER AIR CONDITION Basement, Unfinished Description Ttl. Gross Liv/Lease Area REST/CLUBS Ca. First Floor Vision ID: 4073 Soof Structure Heating Fuel Heating Type AC Type Bath Type Kitchen Style Interior Floor Exterior Wall toof Cover nterior Wall Total Rooms Element Style/ Type Model dathrooms Occupancy Bedrooms Code PAVI SGN4 CLRI Code 3260 Code BAS CAN FOP SLB Stories Frade

IN TALLET DI



Robert S. MacKenzie, AICP Director

CITY OF MANCHESTER

Planning and Community Development

Planning
Community Improvement Program
Growth Management



Staff to:
Planning Board
Heritage Commission
Millyard Design Review Committee

January 12, 2004

Committee on Land and Buildings Honorable Board of Mayor and Aldermen City Hall - One City Hall Plaza Manchester, N.H. 03101

RE: Disposition of city-owned land on Belmont Street previously owned by the B&B Railroad Company

Dear Committee Members:

This is to provide a report pursuant to Section 23½ pertaining to the above-referenced city-owned land.

The City recently received a letter from the owner of Luigi's Pizza Bar & Grille, which is located on the northeast corner of Valley and Belmont Streets, inquiring about the possibility of acquiring a portion of the city-owned former rail corridor which passes immediately to the north of their pizzeria. More specifically, the request is to acquire the nearest abutting 30 feet of an existing 60 foot wide ROW for the purpose of providing a larger parking area for the subject restaurant.

Surplus Determination: The Planning Department has reviewed this property and communicated with the Parks Department about this matter and has discovered that there is a plan to run a future pedestrian/bicycle trail system over the former rail ROW – for the purpose of connecting the RiverWalk along the Merrimack River to the state's Rockingham Trail, which essentially runs between Hampton and Lake Massabesic. As such, we do not believe that the former rail ROW is surplus to city needs.

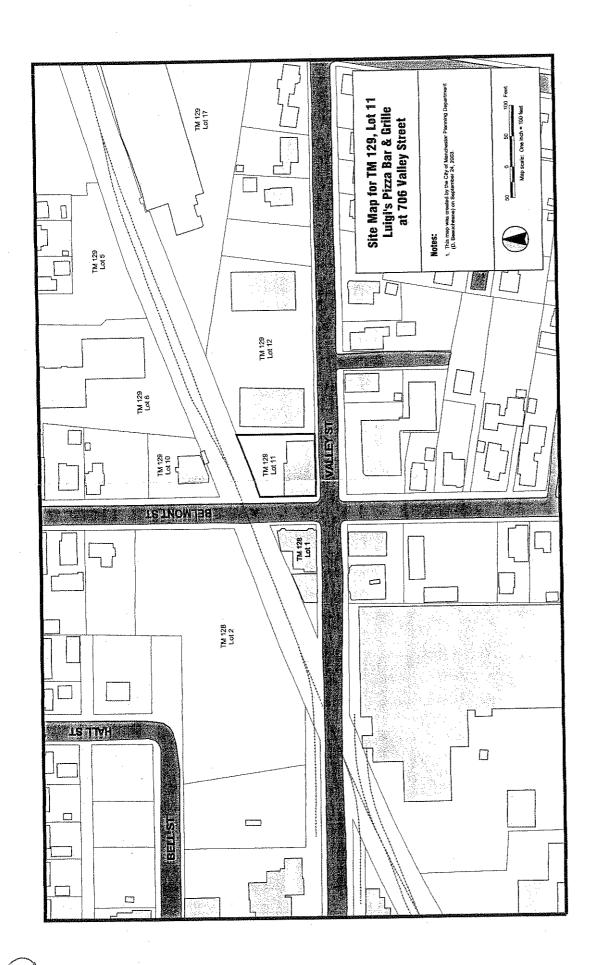
Disposition: If it could be determined in advance that it would not obstruct or otherwise compromise any portion of the City's future pedestrian/bicycle trail plan, we suggest that the Committee consider recommending the possibility that a license be issued to Luigi's Pizza Bar & Grille allowing their private use of an appropriate portion of the subject ROW for their parking needs.

Sincerely,

Robert S. MacKenzie Director of Planning

One City Hall Plaza, Manchester, New Hampshire 03101 Phone: (603) 624-6450 FAX: (603) 624-6529 E-mail: planning@ci.manchester.nh.us www.ci.manchester.nh.us

A





CITY OF MANCHESTER Parks, Recreation & Cemetery Department

625 Mammoth Road Manchester, NH 03104-5491 (603) 624-6565 Administrative Office (603) 624-6514 Cemetery Division (603) 624-6569 Fax

COMMISSION

George "Butch" Joseph, Chairman Steve Johnson, Clerk Michael Worsley Joseph Sullivan Sandra Lambert Ronald Ludwig, Director

July 26, 2004

1+ens#8,9+10

Alderman Henry Thibault, Chairman - Lands & Buildings Committee Board of Mayor & Aldermen One City Hall Plaza Manchester, NH 03101

Re: Abandoned Rail Corridors

Dear Alderman Thibault:

In 2001, the New Hampshire Department of Transportation transferred ownership of the Manchester and Portsmouth Branch railroad corridor to the City for use as a recreational trail. However, the state placed several restrictions on the use of this property that must be considered before a decision is made regarding requests from abutters to utilize portions of this property.

At the May 26, 2004 Lands and Buildings Committee meeting, a vote was taken to table these requests pending development of a standard policy by City staff. I recently met with Tom Arnold from the City Solicitor's Office and David Beauchense from the Planning Department to discuss what should be included in this policy. While our meeting was productive, we will need some additional time to develop a written policy for your review.

In view of the restrictions placed on this property by the State and the City's long range plans for a recreational trail, it is certain that we will not recommend fee simple purchases. It may be possible to develop an agreement for temporary use that would not include any structures with a reversionary clause that would allow the City to construct a recreational trail at a future date.

We will have our recommendations for this policy available for your next scheduled meeting.

Sincerely yours,

Ron Johnson, Deputy Director

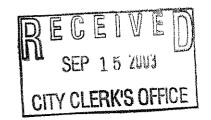
cc: Thomas Arnold, Deputy City Solicitor

David Beauchense, Planning & Community Development



City of Manchester Office of the Tax Collector

City Hall
One City Hall Plaza - West
Manchester, New Hampshire 03101 Joan A. Porter (603) 624-6575 (Phone) Tax Collector (603) 628-6162 (Fax)



Memorandum

DATE:

SEPTEMBER 12, 2003

TO:

CITY CLERK

FROM:

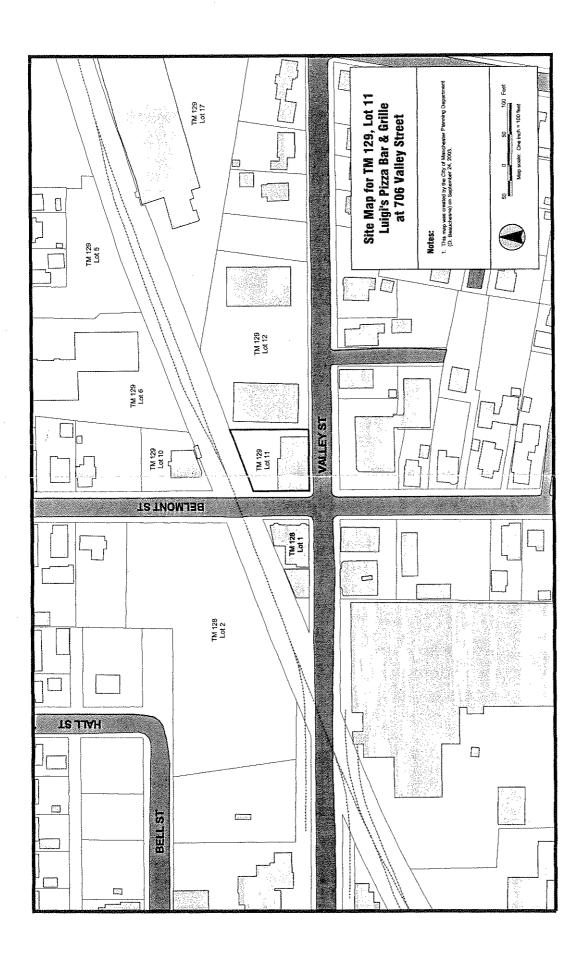
JOAN PORTER, TAX COLLECTOR

RE:

PURCHASE OF RAILROAD PROPERTY

Since this is not a tax-deeded property, the Tax Collector's office has no interest in its disposition.





118 Maple ST. ♦ Manchester, NH 03103 Phone 1-603-645-6160 # Fax 1-603-645-6160

MR 27 图1 52

April 26, 2004

City Hall, City Clerks office One City Hall Plaza Manchester, NH, 03102

To Whom It May Concern,

My name is Gerald P. Cloutier. I am the owner of the propery at 118 Maple St. It has come to my attention that the city of Manchester has aquired the abutting land on 118 Maple St. that was the former property of the Boston and Maine Railroads. I am interested in purchasing this property from the City of Manchester. Recently it has come to my attention that I am not in compliance with the parking codes that the city regulates. If able to purchase this piece of property on the corner of Maple St. and Sommerville. St. I will be in compliance with the City. I would appreciate it if you can look into this matter for me. If you can advise me on my next step in aquiring this property, who to conta ct, what the price might be. I would appreciate it. Thank-you for this consideration, I will be looking forward to hearing from you.

Sincerely,

Gerald P. Cloutier

65 Winter St

Marchante MH 03102

Home 626 7274 Work 645 6160

Cell 582 2522

2005337

2002 JAN | | PM 1:39

KNOW ALL MEN BY THESE PRESENTS

THAT, The State of New Hampshire, whose mailing address is the Department of Transportation, 1 Hazen Drive, P.O. Box 483, Concord, NH 03302-0483, pursuant to RSA 4:40 and RSA 228:67, for considerations paid to it in hand before the delivery hereof, well and truly paid by the City of Manchester, a municipal corporation, whose mailing address is 1 City Hall Plaza, Manchester, NH 03101-2097, has remised, released and forever QUITCLAIMED, and by these presents, does remise, release and forever quitclaim unto said City of Manchester, its successors, and assigns forever:

Any and all interest the State of New Hampshire has in a portion of the abandoned Portsmouth Branch railroad corridor, including all stations, buildings, bridges, structures, crossings, culverts and improvements thereon and including all appurtenances thereto and formerly owned by the Boston and Maine Corporation, the Elliot Hospital of the City of Manchester, 67 Willow Street Realty, L.L.C., and the Flying Horse Realty, Inc., located in the City of Manchester, bounded and described as follows:

Beginning at a point designated as Engineering Station 1967+70+/- located on the westerly sideline of Page Street as shown on Railroad Valuation Plan V28NH, Map 38; thence running generally in a westerly direction to a point designated as Engineering Station 1997+50+/- as shown on Railroad Valuation Plan V28NH, Map 39.

Beginning at a point designated as Engineering Station 2002+90+/- located on the westerly sideline of Mammoth Road as shown on Railroad Valuation Plan V28NH, Map 39; thence running generally in a westerly direction to a point designated as Engineering Station 2008+05+/- at the easterly sideline of Hall Road as shown on Railroad Valuation Plan V28NH, Map 39.

Beginning at a point designated as Engineering Station 2021+70+/- located on the westerly sideline of Massabesic Street as shown on Railroad Valuation Plan V28NH, Map 39; thence running generally in a westerly direction to a point designated as Engineering Station 2080+80+/- at the easterly sideline of Union Street as shown on Railroad Valuation Plan V28NH, Map 41.

Beginning at a point designated as Engineering Station 2094+12+/- as shown on Railroad Valuation Plan V28NH, Map 41; thence running generally in a northwesterly direction to a point designated as Engineering Station 2104+28+/- at the easterly sideline of Elm Street as shown on Railroad Valuation Plan V28NH, Map 41.

Meaning and intending to convey all the railroad corridor conveyed to the State of New Hampshire by the Boston and Maine Corporation by a deed recorded in the Hillsborough County Registry of Deed in Book 6200, Pages 40 - 48 on January 11, 2000, said parcels containing an area of 12.45 acres, more or less.



Beginning at a point designated as Engineering Station 1997+50+/- as shown on Railroad Valuation Plan V28NH, Map 39; thence running generally in a westerly direction to a point designated as Engineering Station 2002+44+/- located on the easterly sideline of Marnmoth Road as shown on Railroad Valuation Plan V28NH, Map 39.

Meaning and intending to convey all the railroad corridor conveyed to the State of New Hampshire by the Boston and Maine Corporation by a deed recorded in the Hillsborough County Registry of Deed in Book 5719, Pages 215 - 221 on May 21, 1996, said parcel containing an area of 0.66 acres, more or less.

Beginning at a point designated as Engineering Station 2008+61+/- located on the westerly sideline of Hall Street as shown on Railroad Valuation Plan V28NH, Map 39; thence running generally in a westerly direction to a point designated as Engineering Station 2021+76+/- at the easterly sideline of Massabesic Street as shown on Ruilroad Valuation Plan V28NH, Map 39.

Meaning and intending to convey all the railroad corridor conveyed to the State of New Hampshire by the Elliot Hospital of the City of Manchester by an easement recorded in the Hillsborough County Registry of Deed in Book 5645, Pages 1085 - 1087 on August 1, 1995, said parcel containing an area of 0.60 acres, more or less.

Beginning at a point designated as Engineering Station 2081+13+/- located on the westerly sideline of Union Street as shown on Railroad Valuation Plan V28NH, Map 41; thence running generally in a westerly direction to a point designated as Engineering Station 2083+33+/- at the easterly sideline of Willow Street as shown on Railroad Valuation Plan V28NH, Map 41.

Meaning and intending to convey all the railroad corridor conveyed to the State of New Hampshire by the 67 Willow Street Realty, L.L.C. by an easement recorded in the Hillsborough County Registry of Deed in Book 6513, Pages 131 - 132 on October 30, 2001, said parcel containing an area of 0.15 acres, more or less.

Beginning at the southerly most point of said premises, at an iron pin with cap to be set: thence along a curve westerly along said percel with a radius of 962 57 feet, a distance of 479.56 feet to a point; thence N8°25'43"W a distance of 108.31 feet to a point; thence along a curve southeasterly with a radius of 932.57 feet to a point on Willow Street in Manchester, New Hampshire; thence S13°52'44" east a distance of 45.99 feet to the point of beginning, as shown on plan entitled "Easement Plan of Land prepared for Flying Horse Realty Inc., in Manchester, NH, scale 1" = 40", Date: January 11, 2000", prepared by Duval Survey, Inc., 14 Dartmouth Street, Hooksett, NH 03103, and recorded in the Hillsborough County Registry of Deeds as Plan No. 30334.

Meaning and intending to convey all the railroad corridor conveyed to the State of New Hampshire by the Flying Horse Realty. Inc., by an easement recorded in the Hillsborough County Registry of Deed in Book 6208, Pages 26 - 27 on February 9, 2000, said parcel containing an area of 0.34 acres, more or less.



As a further condition of this instrument, the City of Manchester agrees to the following:

- 1.) The City of Manchester shall use and manage the abandoned railroad corridor as a recreational trail for use by the general public.
- 2.) Any future alterations by the City of Manchester to the abandoned railroad corridor shall necessitate review by the Federal Highway Administration relative to the Section 106 historic review process.
- 3.) The City of Manchester must obtain approval from the New Hampshire Department of Transportation before selling any portion of the abandoned railroad corridor.

Excepting and Reserving, to the State of New Hampshire by or through its Department of Transportation of any successor agency, a transportation easement, 30 feet in width, crossing all the Transportation of any successor agency, a transportation easement, 30 feet in width, crossing all the Transportation of any successor agency, a transportation easement, 30 feet in width, crossing all the Transportation of any successor agency, a transportation easement, 30 feet in width, crossing all the Transportation of any successor agency, a transportation easement, 30 feet in width, crossing all the Transportation of any successor agency, a transportation easement, 30 feet in width, crossing all the Transportation of any successor agency, a transportation easement, 30 feet in width, crossing all the Transportation of any successor agency, a transportation easement, 30 feet in width, crossing all the Transportation of any successor agency, a transportation easement, 30 feet in width, crossing all the Transportation of any successor agency, a transportation easement, 30 feet in width, crossing all the Transportation of any successor agency, a transportation easement, 30 feet in width, crossing all the Transportation of any successor agency, a transportation easement, 30 feet in width, crossing all the Transportation of any successor agency agency agency and the Transportation of any successor agency agenc

TO HAVE AND TO HOLD said premises, with all the privileges and appurtenances thereunto belonging to the City of Manchester, its successors and assigns forever.

IN WITNESS WHEREOF, The State of New Hampshire has caused its name to be set and its seal to be hereunto affixed by the Commissioner of the New Hampshire Department of Transportation, duly authorized and executed this 14 day of heren less, 20 of .

Signed, Sealed and Delivered in the presence of

Diose Hartford

STATE OF NEW HAMPSHIRE DEPARTMENT OF TRANSPORTATION

ommissioner

THE STATE OF NEW HAMPSHIRE

COUNTY OF MERRIMACK

On this 14th day of December, 20 of, before me, Atane Hartford the undersigned officer, personally appeared the Commissioner of the Department of Transportation, and that as such Commissioner, being authorized so to do, executed the forgoing instrument for the purposes therein contained, by signing the name of the State of New Hampshire as the Commissioner of the Department of Transportation.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

DIANE L. HARTFORD Notary Public My Commission February July Co.

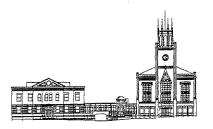
Approved by New Hampshire Council on Resources and Development on July 14, 2000. Approved by Long Range Capital Planning and Utilization Committee on August 22, 2001. Approved by Governor and Executive Council on October 10, 2001, Item # 146.





CITY OF MANCHESTER, NH Board of Assessors

One City Hall Plaza, West Wing Manchester, New Hampshire 03101 Tel: (603) 624-6520 – Fax: (603) 628-6288 E-mail: <u>assessors@ci.manchester.nh.us</u> Web: www.ManchesterNH.gov



Steven G. Tellier, Chairman Thomas C. Nichols Stephan W. Hamilton

Christine Hanagan Assistant to Assessors

To:

Committee on Lands and Buildings

From: Date:

Board of Assessors December 15, 2004

Re:

Map/Lot: 0361/0001 - Note: This is the Abutter's Lot

Owner: Gerald P. Cloutier

Request to Purchase or Lease/License Land

The Assessors have completed an analysis of the estimated market value of the above referenced property. An examination of the available assessing records has been completed. A review of sales of excess B&M Railroad tracts of land has also been done. The following is a summary of important facts and the value estimate:

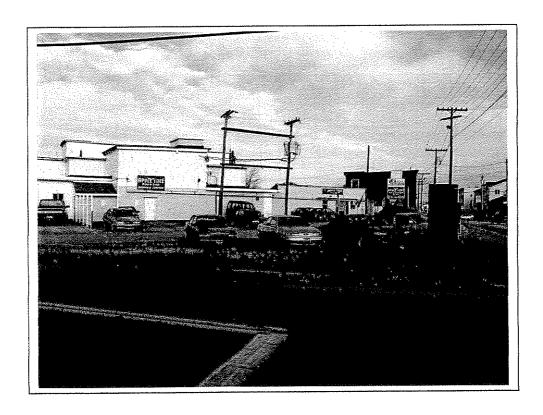
Property Location	Maple and Somerville Streets
Assessors Map/Lot	Not Assigned
Property Owner	City of Mancheter
Deed Book/Page	Not Assigned
Date Acquired	N/A
Improved/Vacant	Vacant
Total Land Area	5,271 sq. ft.
Current Zoning	RDV
Overlay District	N/A
Easements/Restrictions	Railroad
Utilities Available	All
Total Current Assessment	\$0
Indicated Range of Value/Unit	\$4.00
Indicated Range of Value	\$21,084
Comments	We are using \$4.00 per sq. ft. which is the rate at which B&M is selling land to individuals who purchase land in areas such as this one. However, this lot is located in a good commercial area. On the open market the location of the lot could add considerable contributory value to the abutting property.

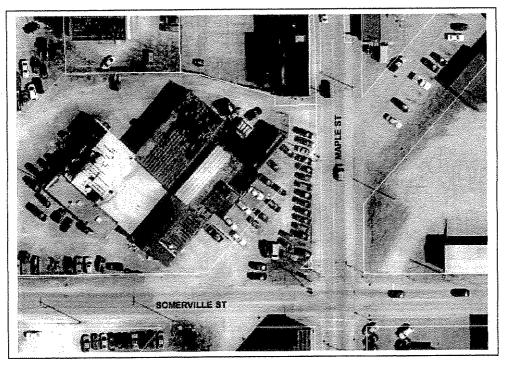
Respectfully submitted, BOARD OF ASSESSORS



Thomas C Nichols

Maple and Sommerville J.C. Auto Sales







Robert S. MacKenzie, AICP

CITY OF MANCHESTER

Planning and Community Development

Planning
Community Improvement Program
Growth Management



Staff to: Planning Board Heritage Commission Millyard Design Review Committee

May 24, 2004

Committee on Land and Buildings Honorable Board of Mayor and Aldermen Manchester City Hall One City Hall Plaza Manchester, New Hampshire 03101

Re: Disposition of City-owned former rail ROW parcel abutting 118 Maple Street

Dear Committee Members:

The City has received a written request by Mr. Gerald Cloutier, owner of J. C.'s Auto Sales (corner of Silver, Somerville and Maple Streets), seeking the opportunity to purchase a small triangular-shaped 5,271 s.f. section of the former B & M Portsmouth Branch rail line which abuts his property (see attached map). Mr. Cloutier's stated goal in such a purchase is that it would assist in resolving his used car business' on-site parking problems. At its widest, the subject city-owned parcel is app. 60' wide and contains the former railroad's steel rails and timber ballast which are still in place running down the middle of the parcel.

Surplus Determination: The Planning Department has communicated with the Parks, Recreation and Cemeteries Department in reviewing this property and has determined that the City has long-term plans to install a bike/pedestrian trail along the former Portsmouth Branch railroad line through this part of town to connect the state's Rockingham Recreational Trail on the east side of the city with the CrossTrails hub in the vicinity of the south Millyard ballfield. It was also found that the State of New Hampshire, in deeding the former rail ROW to the City, not only reserved a 30' wide transportation easement on the property for possible future rail uses but also maintained a right to approve any sale of the rail ROW which the City may wish to undertake. In view of these long-range plans and restrictions, our recommendation is that the subject parcel continue to be maintained in city ownership and not be declared surplus.

Disposition: Given the real commercial need by J. C.'s Auto Sales for added on-site parking, we feel that the City could reasonably enter into a lease agreement with Mr. Cloutier which would allow him to use approximately 30' of that portion of the subject parcel which is closest to his 118 Maple Street business such least to include a reversionary clause that would allow the City to construct a recreational trail at any apt future date. The Committee may wish to consider this option.

Sincerely,

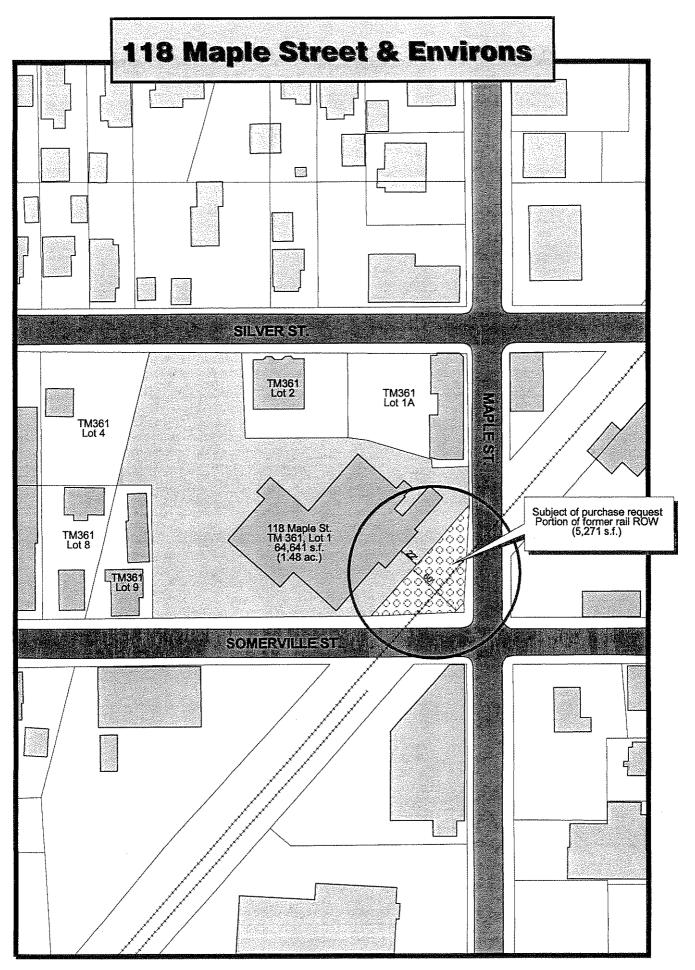
Robert S. MacKenzie

Director of Planning & Community Development

Copy: file

One City Hall Plaza, Manchester, New Hampshire 03101 Phone: (603) 624-6450 FAX: (603) 624-6529 E-mail: planning@ci.manchester.nh.us www.ci.manchester.nh.us







CITY OF MANCHESTER Parks, Recreation & Cemetery Department

625 Mammoth Road Manchester, NH 03104-5491 (603) 624-6565 Administrative Office (603) 624-6514 Cemetery Division (603) 624-6569 Fax

COMMISSION

George "Butch" Joseph, Chairman Steve Johnson, Clerk Michael Worsley Joseph Sullivan Sandra Lambert Ronald Ludwig, Director

May 21, 2004

Alderman Henry Thibault, Chairman - Lands & Buildings Committee Board of Mayor & Aldermen One City Hall Plaza Manchester, NH 03101

Re: Abandoned Rail Corridor Land Purchase request - Gerald Cloutier

Dear Alderman Thibault:

I would like to provide some comments regarding the request of Mr. Gerald Cloutier of J. C.'s Auto Sales to purchase a portion of the former Manchester and Portsmouth railroad line at 118 Maple Street. This property was transferred to the City from the State of New Hampshire on December 14, 2001.

The State of New Hampshire placed several conditions within the deed, including use and management restrictions and the need to obtain approval from the State before selling any portion of the property. Furthermore the State has reserved a (30°) transportation easement on the property.

According to the City Master Plan, abandoned rail corridors throughout Manchester were identified as future greenways and trail connectors to the neighborhoods. We are currently working on two trail projects on abandoned rail corridors including the Piscataquog Trailway and South Manchester Rail Trail.

The property in question has also been identified as a connector to the Rockingham Recreational Trail, which the State currently manages from I-93 in Manchester easterly to the town of Newfields. As funding becomes available, we would like to improve this section of rail corridor for a recreational trail.

In view of the restrictions placed on this property by the State and the City's long range plans for recreational trails, we would recommend that the Board of Aldermen deny a fee simple purchase of this property. Instead, the Board may consider a lease agreement allowing use of the property with a reversionary clause that would allow the City to construct a recreational trail at a future date.

Sincerely yours,

Ron Johnson, Deputy Director

cc: Ronald E. Ludwig, Director
Robert A. MacKenzie, Planning Director

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City of Manchester Office of the Tax Collector

City Hall
One City Hall Plaza - West
Manchester, New Hampshire 03101 Joan A. Porter
(603) 624-6575 (Phone) Tax Collector
(603) 628-6162 (Fax)

Memorandum

DATE:

April 30, 2004

TO:

Land & Building Committee

FROM:

Joan A. Porter, Tax Collector

RE:

L Corner of Maple St/Somerville St

As the parcel referenced above is not a Tax-Deeded property, the Tax Collector's office has no interest in its disposition nor any further information to contribute.



City of Manchester Parks, Recreation & Cemetery Department

Inter-Office Correspondence

Memo to:

Paula LeBlond-Kang, City Clerk's Office

From:

Ron Johnson

Date:

May 21, 2004

Re:

Lands & Buildings Meeting (4/26/04)

Attached you will find a letter in response to the request from Gerald Cloutier of 118 Maple Street, to purchase a portion of the former Portsmouth Branch railroad property, that is now in City ownership.

The City Planning Department asked us for some comments on this request for the Lands & Buildings Committee meeting. Please let me know if you have any further questions.



CITY OF MANCHESTER Parks, Recreation & Cemetery Department

625 Mammoth Road Manchester, NH 03104-5491 (603) 624-6565 Administrative Office (603) 624-6514 Cemetery Division (603) 624-6569 Fax

COMMISSION

George "Butch" Joseph, Chairman Steve Johnson, Clerk Michael Worsley Joseph Sullivan Sandra Lambert Ronald Ludwig, Director

July 26, 2004

I tems # 8,9+10

Alderman Henry Thibault, Chairman - Lands & Buildings Committee Board of Mayor & Aldermen One City Hall Plaza Manchester, NH 03101

Re: Abandoned Rail Corridors

Dear Alderman Thibault:

In 2001, the New Hampshire Department of Transportation transferred ownership of the Manchester and Portsmouth Branch railroad corridor to the City for use as a recreational trail. However, the state placed several restrictions on the use of this property that must be considered before a decision is made regarding requests from abutters to utilize portions of this property.

At the May 26, 2004 Lands and Buildings Committee meeting, a vote was taken to table these requests pending development of a standard policy by City staff. I recently met with Tom Arnold from the City Solicitor's Office and David Beauchense from the Planning Department to discuss what should be included in this policy. While our meeting was productive, we will need some additional time to develop a written policy for your review.

In view of the restrictions placed on this property by the State and the City's long range plans for a recreational trail, it is certain that we will not recommend fee simple purchases. It may be possible to develop an agreement for temporary use that would not include any structures with a reversionary clause that would allow the City to construct a recreational trail at a future date.

We will have our recommendations for this policy available for your next scheduled meeting.

Sincerely yours,

Ron Johnson, Deputy Director

cc: Thomas Arnold, Deputy City Solicitor

David Beauchense, Planning & Community Development

10



CITY OF MANCHESTER Office of the City Clerk



Leo R. Bernier W doo City Clerk pane

Carol A. Johnson \ Cov C Deputy City Clerk

Paula L-Kang Deputy Clerk Administrative Services

Matthew Normand Deputy Clerk Licensing & Facilities

Patricia Piecuch Deputy Clerk Financial Administration

Memo To:

Kevin Sheppard, Deputy Director Public Works

Ronald Johnson, Deputy Director Parks, Recreation & Cemetery

Bob MacKenzie, Planning Director

From:

Valerie E. Fysh WY

Administrative Assistant

Date:

September 3, 2004

Re:

Request from Committee on Lands & Buildings

On July 27, 2004 the Committee requested that heads of any departments that could have input into the site selection for a dog park meet, in conjunction with the animal shelter, to determine the best and most feasible economic site within the city. At the meeting the committee discussed three sites, the landfill on Dunbarton Road, Straw Road, and West Mitchell Street.

The Committee had asked that the information be forwarded to them prior to their next meeting, however, that date is unknown at this time. We will notify you once the date has been determined.

I have enclosed a copy of the minutes as well as copies of three site maps from the meeting for your reference. Please contact me should you have any questions.

pc:

Frank Thomas

Mr. Sheppard answered that is one of the reasons that I believe the Highway Commission wanted a six-month trial period to see what the noise levels may be. The Flying Club has told us that there should not be issues with noise. They are looking at the hours of 10 AM to sunset but that is one of the concerns the Highway Commission had also. That is one thing that we are going to observe during the six-month trial period.

Alderman Roy stated I know they seem to have a considerable amount of insurance coverage. Any worries with the abutting highway.

Mr. Sheppard responded no. I believe the state would not allow them to fly over the highway. They would be limited to the air right above the landfill. Our recommendation is the same as the Highway Commission's recommendation. A six month trial period and negotiation of a usage agreement with the City Solicitor's approval.

Alderman Porter moved to allow the NH Flying Tigers R/C Club, Inc., to use the Dunbarton Road Sanitary Landfill for model activities on a six month trial period with negotiation of a usage agreement under approval of the City Solicitor's Office. Alderman Osborne duly seconded the motion.

Deputy City Clerk Johnson stated before you take a vote on that I just want to make you aware that there is another item coming into the Committee this evening that was supposed to be taken earlier from Alderman DeVries regarding dog parks and the sanitary landfill area was one of the considerations. I don't know if you want to defer action on this and take that up so you at least have an understanding of what the potential use could be.

Chairman Thibault stated okay we will hold the vote on that item. Kevin, do you have any recommendation on Alderman DeVries' request for a dog park?

Mr. Sheppard replied that is something we could take a look at. We could work together with the flying club and the dog park. We would have to sit down and take a look at the uses for both.

Alderman DeVries stated I think basically what I would like to request of the Lands and Buildings Committee at this point in time... as you well know there has been a lot of interest in establishing a dog park somewhere within the City. There are three parcels of land where I have done a preliminary walk through. These by no means are the only possible parcels in the City. What I would like to do is quickly show you the three that have been identified and then have you notify Parks & Recreation, Highway and any other department that may have future

needs to get feedback so we can determine whether or not they are available for the use of a dog park. What we have in mind would not be tax dollar driven. This would be a public/private venture where the City can determine based on their future needs for parcels whether or not they could give a possible lease or disallow the use of City owned parcels. The fundraising hopefully will be done as a separate entity so we do not have to look to the taxpayers to support this effort. I do also envision a governing body that will be set-up of interested volunteers who will help establish the rules as well as maintenance for this project. Starting off first the easiest of them but probably my personal least favorite would be the landfill. I have already had conversations with the Highway Director, Frank Thomas, and he has indicated that that would be appropriate within the limitations of the encapsulation of the landfill.

Mr. Tellier asked are you referring to the landfill, Alderman.

Alderman DeVries answered yes within the fenced enclosure at the landfill. That would be the easiest of the parcels for us to deal with. It is not my favorite just because we cannot...it has restrictions for use because it will be down on the level area, which is very long and narrow and not as conducive to all of the activities that we envision for this parcel but certainly we would make use of it if it is the only parcel that is available to us. Directly across the street from the landfill is the Manchester Animal Shelter. Stretching beyond the shelter and out towards Straw Road is the second parcel of interest for me and this is one that I have not heard from the Highway Department specifically. They have today a dirt road that comes down off of Straw Road that goes down into an area where they temporarily will store granite pieces and other such items. That is probably the most preferred area because it is not only more scenic but has the opportunity for some shade trees. There is a Black Brook that runs through that area so the governing body could make a decision as to, being those that are making up the rules and will help locate this park within the permitted land, they can decide if they want to have access into the brook or how that might work best for the dog park. There are distinct advantages to these two parcels in that there could be a collaboration that we could make with the Manchester Animal Shelter. I say that because today they really do not have adequate facilities to really exercise the dogs that they would have there on a temporary or a more long-term basis. If we do locate at either of these locations I think there is a partnership that we can make with the Animal Shelter where we can get them some access to the fenced area and they probably would very much encourage either of these locations. Stretching out towards the animal shelter there are also other areas at the landfill that the Highway Department uses and I would like to take a look at the other portions of that particular City-owned parcel with the Highway Department to see where they would steer me on that parcel.



Mr. Tellier stated while we are here for the benefit of the Committee the parcel highlighted is the animal shelter. The next parcel highlighted here is the landfill. This parcel being highlighted is the City's drop-off facility.

Alderman DeVries responded the third one stretching out towards Straw Road...all of the rest of that parcel is also City-owned.

Mr. Tellier stated this is the one she is referring to on Straw Road.

Alderman DeVries stated I believe that might even be the dirt road that goes down into that that is showing on the map. It currently looks like...if you go down on Straw Road you can see you look down into it and there is a wide open field at the bottom and you will see the pieces of granite that have been stored there. There is great potential on that site. The third parcel that I identified and this is certainly not a complete or conclusive inventory of the lands. It was several months ago that I spent some time looking at the City lands and looking for parcels that I felt would be remote from existing neighborhoods so that there would not be serious noise issues to deal with. The third parcel is down stretching between the Pine Grove Cemetery and the Brown-Mitchell ball field off of West Mitchell Street. The advantage to that particular parcel is...I believe it is a little bit more central to a high-density population so it probably is not considered quite as remote as the landfill is for the City. The difficulty with that particular parcel is that parking today is an extreme issue, which would require additional fundraising in order to grade some sort of a road that would stretch in behind the ball field and to grade out an area that would allow sufficient parking. So there are some pluses and minuses. The good thing is that certainly with the cemetery abutting this property on several sides it does lend to it being remote but still within a very, as you can see on the picture that is up now, it is a very dense neighborhood. This is down off of the Calef Road corridor. It is closer to the inner-city. The request I would make of the Committee at this time is if they could formally contact the different departments to see if there were any issues for future use with either of these three parcels that I have identified and if you could specifically contact Parks & Recreation, Water Works and the Highway Department and ask if they have any suggestions of other parcels several acres in size that they think might satisfy the needs to establish a dog park so that this Committee can identify and look at those more closely.

Alderman Roy asked how many acres are you looking for as a minimum or maximum.

Alderman DeVries answered I don't think we have made an actual determination of minimum or maximum. We feel that two to three acres would be wonderful. It really depends on the parcel, the topography of that particular parcel...what we are

dealing with is there is natural tree cover. You may want to leave some of that and have other parcels that are left open or other portions of it left open in a field to allow frisbee activity, ball throwing and that kind of thing.

Alderman Porter asked Kevin if the landfill site were selected for that purpose would that preclude the aviation project.

Mr. Sheppard answered I believe the air club would prefer to have full usage when they are there but it is something that we could take a look at in the big picture of things. I don't think we want to limit the use of the landfill to this model flying club. I think we need to take a look at all uses on this site.

Alderman DeVries stated I think in the lease agreement that had been drawn up with them there was no indication that they had exclusive use of that parcel. I don't remember seeing it and I did look for that but maybe that is something that the City Solicitor should weigh in on.

Mr. Sheppard responded if this was to move forward we would discuss that as part of the agreement with the air club.

Alderman Porter withdrew his motion to allow the NH Flying Tigers R/C Club, Inc., to use the Dunbarton Road Sanitary Landfill for model activities on a six month trial period with negotiation of a usage agreement under approval of the City Solicitor's Office.

Alderman Osborne withdrew his second.

Alderman Osborne asked Steve how much land is out at the shelter. How much land did they acquire there?

Mr. Tellier answered the animal shelter is a very small site. It is about an acre I think. It is bordered on three sides by the drop-off facility and on the fourth side it fronts Dunbarton Road. It is the approximate size of a house lot. It is very small and it is show right in front of you.

Alderman DeVries stated if I could follow-up on that I am certainly not looking to limit that operation. I look at the animal shelter today saving the City quite a bid of money through volunteer efforts that we would be paying for otherwise. We don't want to inhibit that operation or any future claims they might have for that location but we would love to work with them to enhance their life as well as facilitate ours.

Mr. Tellier stated what Kevin has done is show you the aerial view of the drop-off facility. As you can see the majority of the site is paved and utilized in a pretty concentrated fashion. The parts that are dirt, a lot of those are lay down areas for metals or composite materials and that type of thing. I certainly wouldn't speak for the Highway Commissioner but I have been there on many a Saturday and it is a pretty dense operation at least at that site.

Alderman Gatsas asked is the green roof building the animal shelter.

Mr. Sheppard pointed out the animal shelter on the screen.

Alderman Gatsas asked and going in that direction where the arrow is moving.

Mr. Sheppard answered that is a flare for the landfill excess gas that is not burned through the gas energy facility. This recently has not been used too often because they are burning most of the gas that is coming off of the landfill.

Alderman Gatsas asked what are the chances...

Mr. Sheppard interjected I just want to show you the facility for burning gas which is right in here.

Alderman Gatsas stated I am talking about across the shelter. What is the other green building?

Mr. Sheppard responded that is the flare for the methane gas.

Alderman Gatsas asked how much space is there between that and Dunbarton Road.

Mr. Sheppard answered it actually drops off from Dunbarton Road. There is a grade there. There is probably 50 feet maybe but it does drop off from Dunbarton Road.

Alderman Gatsas asked from the animal shelter to that is a steep grade also.

Mr. Sheppard answered to be quite honest I believe it may drop off somewhat between the animal shelter and this flare also. I believe the grade comes down from this direction towards the flare and also from the road down to the flare.

Alderman Gatsas stated well from some inside information that I have gotten I know that the Friends of the Manchester Animal Shelter are in a fundraising mode to expand the building.



Mr. Sheppard answered right.

Alderman Gatsas stated it would certainly make sense that if we were going to put an effort together that certainly the dog park would be part of that and it probably from a fundraising point of view may be a little bit easier not having to worry about somebody else maintaining it where it could be tied in because as Alderman DeVries said right now it is saving the City money because the animal shelter in Nashua is getting subsidized to the tune of about \$120,000 when we are doing the same thing in Manchester for about \$40,000. It would make sense because the last building that was constructed there had dealt with money from the closure of the landfill because the building was across the street and I think it was like \$125,000 and when they were done they raised another \$150,000 to complete the building and I know they are looking for more space. I would think that that would probably be the most logical place where it could tie in and whether with all of the fill that is...where we are moving dirt everywhere there is probably an opportunity to take some of that fill and cap it where it is not going to be built on and really just made for a dog park I think that would maybe be the place that would make the most sense where it could tie in with two different facilities to get the project done.

Alderman Roy stated to capitalize on Alderman Gatsas' thought Kevin could you highlight the southern section of that building or move the map. How far south is the brook from where you store excess loam?

Mr. Sheppard answered the brook is pretty close. We actually have a berm that surrounds our site. You can see the brook is right here. Here is the animal shelter. This is where we are storing gravel.

Alderman Roy asked and this is just gravel and extra construction materials.

Mr. Sheppard answered correct.

Alderman Roy asked and this is all City-owned out to Dunbarton Road.

Mr. Sheppard answered correct.

Alderman Roy stated at this time if it pleases the Chair on behalf of Alderman DeVries I would like this Committee to direct all department heads that could have input into site selection to report on these three sites with emphasis put in conjunction with the animal shelter to help determine the best and most feasible economic site for a dog park.

Alderman Gatsas asked can I make an amendment to include the animal shelter in the discussions. Alderman Osborne duly seconded the motion. Chairman Thibault called for a vote. There being none opposed the motion carried.

Alderman DeVries stated I have spoken with the Board of Directors and the President of the Animal Shelter and that is wonderful. I guess in closing what I would say is even if this is a remote location of the City that maybe doesn't best serve all of the City's needs, getting something up and running to have our first dog park is important and what we can continue to do or what I can continue to do working with volunteers is if other lands become viable we can look for other fundraising options and see if we can have more than one dog park in the City but I will start with the one because one is better than none. There is a lot of enthusiasm out there for this.

Mr. Sheppard asked can I just clarify. Did Item 17 get tabled or does it remain on the table?

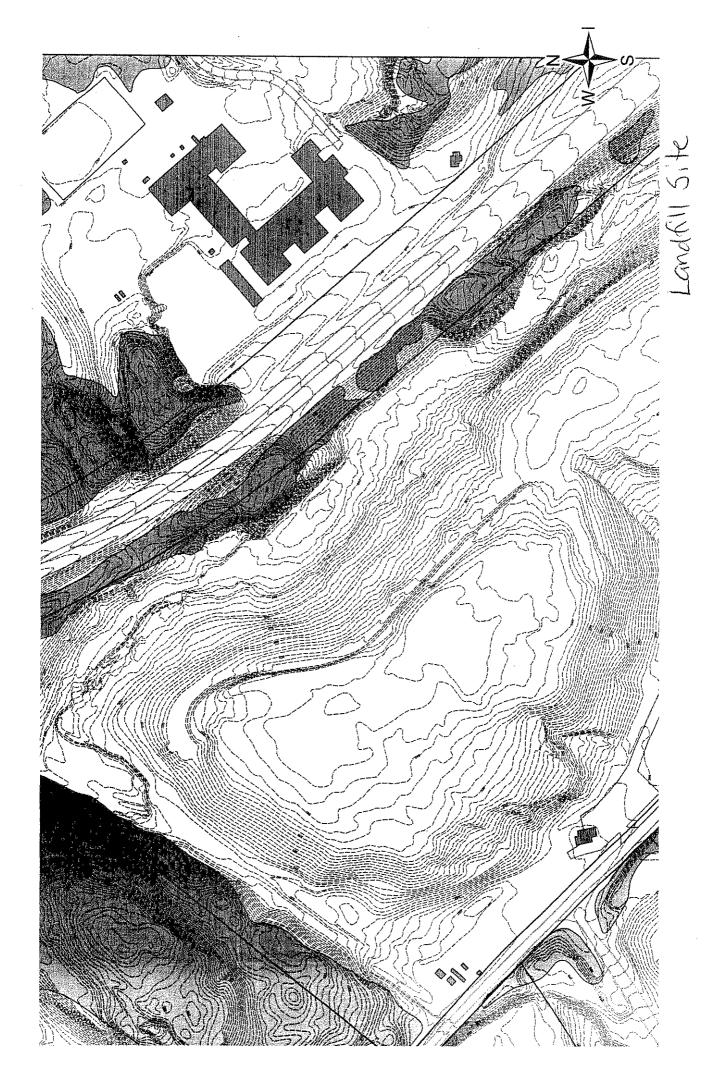
Alderman Porter stated I withdrew my motion. I will move to put it back on the table. Alderman Osborne duly seconded the motion. Chairman Thibault called for a vote. There being none opposed, the motion carried.

There being no further business, on motion of Alderman Porter, duly seconded by Alderman Osborne it was voted to adjourn.

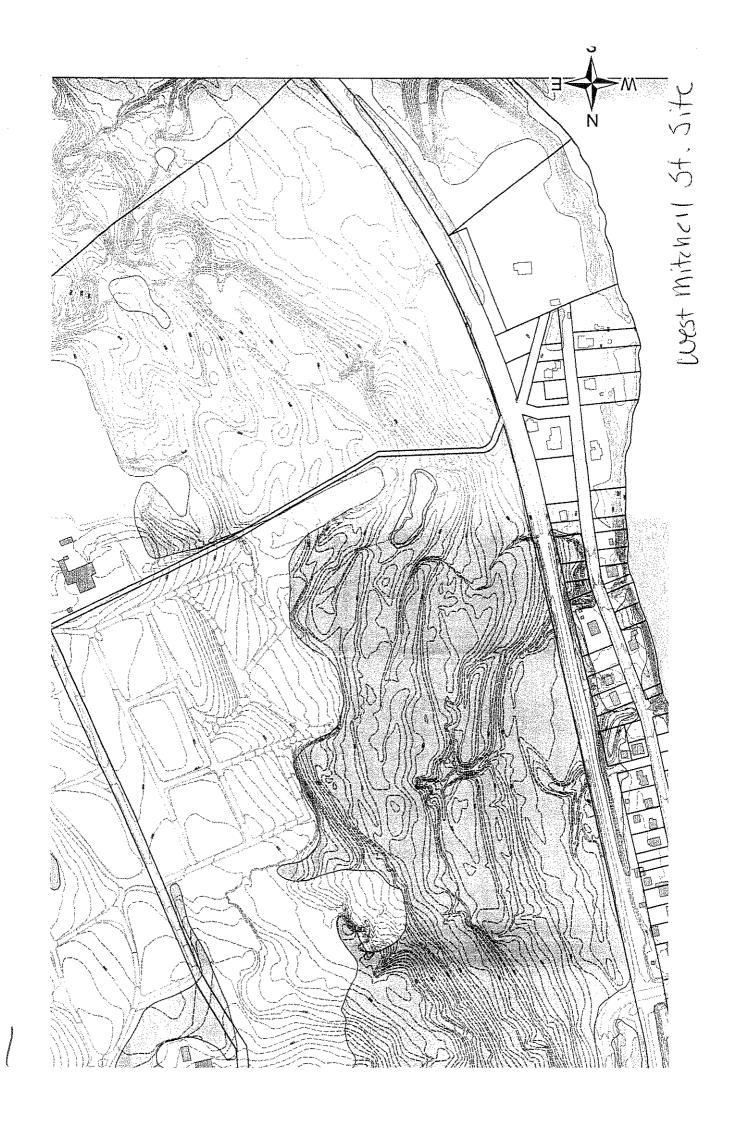
A True Record. Attest.

Clerk of Committee





Shaw Road Site





City of Manchester Parks, Recreation & Cemetery Department

Inter-Office Correspondence

Memo to: Mr. Leo Bernier, City Clerk

From: Ron Ludwig

Date: September 7, 2004

Re: Request for Information Dog Park West Mitchell/Pine Grove Cemetery

Attached is the information requested from the Committee on Lands and Buildings at their July 27, 2004 meeting. According to the memo from the Clerks Office no date has been set for this meeting at this point. Could you kindly include our response to the Request for Information on the next agenda? Thank You.



CITY OF MANCHESTER Parks, Recreation & Cemetery Department

625 Mammoth Road Manchester, NH 03104-5491 (603) 624-6565 Administrative Office (603) 624-6514 Cemetery Division (603) 624-6569 Fax

COMMISSION

George "Butch" Joseph, Chairman Steve Johnson, Clerk Michael Worsley Dennis Smith Sandra Lambert Ronald Ludwig, Director

September 7, 2004

Committee on Lands and Buildings Alderman Henry Thibault, Chairman One City Hall Plaza Manchester, NH 03101

Re: Request for Information

Property off West Mitchell St./Pine Grove Grove Cemetery

Possible Dog Park

Dear Committee Members,

The Department has been asked to respond to a request to possibly locate a Dog Park off West Mitchell ST behind the Brown and Mitchell Softball Field in the Pine Grove Cemetery. After speaking with the Cemetery Supervisor, Mr. Gerry Coulter, and other members of our staff we have determined that this site would not be an appropriate location. Even though it appears that a large amount of space exists in this area it is still in close proximity to Cemetery lots and graves that have already been sold. Also in the opinion of those who have years of experience at the Cemetery, a Dog Park would not be a good fit when the services are being conducted in this general location.

As also requested, I will continue to keep an eye open for other sites that may be a better fit for this type of facility.

Should the Committee have additional questions I would be more than happy to respond.

Sincerely,

Ronald E. Ludwig

Director



City of Manchester Department of Highways

227 Maple Street
Manchester, New Hampshire 03103-5596
(603) 624-6444 Fax # (603) 624-6487

Commission

Edward J. Beleski
- Chairman
Henry R. Bourgeois
William F. Kelley
Michael W. Lowry
William A. Varkas

Frank C. Thomas, P.E. Public Works Director

Kevin A. Sheppard, P.E. Deputy Public Works Director

September 9, 2004

Land and Buildings Committee of the Honorable Board of Mayor and Aldermen CITY OF MANCHESTER One City Hall Plaza, Manchester, New Hampshire 03101

Re: Dog Park Site

Dear Committee Members:

I am writing in response to the Committee's request for input into the site selection for a dog park. Two of the sites warrant our comment:

- The first site is located off of Straw Road. We would not recommend this site for several reasons, including the site is utilized for material storage, the site does have areas of wetland and the access to the site is not desirable. Due to the limited storage capacity at our Dunbarton Road site, we will need to continue storing material at this location.
- The second site is the landfill and/or the small area of land to the west of the existing Animal Shelter. These areas would be acceptable subject to the areas being fenced and having a controlled access.

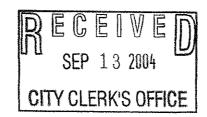
Although the park may potentially be located on land of the Highway Department, it is our assumption that all maintenance of the area will be done by a private group. I will be available should you have any questions pertaining to this matter.

Sincerely

Kevin A. Sheppard, P.E. Deputy Public Works Director

/cd

cc: Frank C. Thomas, P.E. Alderman Betsi DeVries







Robert S. MacKenzie, AICP Director

CITY OF MANCHESTER

Planning and Community Development

Planning Community Improvement Program **Growth Management**



Planning Board Heritage Commission Millyard Design Review Committee

November 10, 2004

Lands & Buildings Committee Honorable Board of Mayor and Aldermen City Hall One City Hall Plaza Manchester, New Hampshire 03101

re: Dog Park

Honorable Committee Members:

This is in regards to the search for a suitable location for a dog park. Of the sites that have been mentioned, it would be our opinion that the landfill area would be the most suitable location.

If you have any questions, I will be available at your next meeting.

Sincerely,

Robert S. MacKenzie, AICP

Director of Planning

New Hampshire Flying Tigers R/C Club, Inc.



P.O. Box 99 Derry, NH 03038 www.newhampshireflyingtigers.org

Mr. Frank Thomas Director Public Works 227 Maple Street Manchester, NH 03103 January 30, 2004

Mr. Thomas,

Thank you so much for offering to work with the NH Flying Tigers Radio Control Club on the possible use of the Manchester Landfill. We visited the landfill in September and are excited by the possibilities of using the landfill for the flying of model aircraft. We feel the site would be perfect for this activity.

I would like to discuss this opportunity further with you. I'm sure that you have many questions for us. The NH Flying Tigers is a non-profit organization incorporated in the State of New Hampshire. Our membership typically varies between 50 and 70 members, between the ages of 7 to 70. We normally have about 5 to 10 people at our current flying field on any average day, not all of our members are actively flying. Some fly during the week while others fly on weekends. Please visit our web site www.newhampshireflyingtigers.org to read more about us.

Our club is chartered by the Academy of Model Aeronautics (AMA) which is a national organization. We require each of our members to also be a member of the AMA. Membership in the AMA includes insurance for each member and our club. Another benefit of the AMA insurance is that we can name the landowner of our flying site onto our policy very easily. I have included some information on the AMA with this letter. You can read more about the AMA via their web site www.modelaircraft.org.

I have included a picture to show the area of the landfill which we would like to use as our main flying area. This is by no means final, but after our first visit it seems a logical location. I can also supply you with a list of over 150 landfills across the United States which are being used by model airplane flying clubs such as the NH Flying Tigers.

Please feel free to contact me to answer any questions and to suggest a time when we could meet to discuss this further. My daytime phone number is (603) 216-2180. Evenings I can be reached at (603) 432-9002.

Sincerely,

Rich Bono

7 Redfield Circle Derry, NH 03038 This is a picture of the Manchester, NH landfill showing the proposed location for flying of R/C aircraft by the New Hampshire Flying Tigers R/C Club, Inc.



We would fly mainly east of the area shown as a proposed runway. Our current runway is grass, maintained by our members. The NH Flying Tigers owns a lawnmower for maintenance of our flying site.

It is expected that all flying would take place over the fenced in landfill area.

We propose that members park their cars on the north-west or west side of the proposed runway.

The area shown would work well for us by allowing an ample flying space while keeping the sun behind us and out of the pilot's field of view when flying.

We would be very happy to discuss alternates to this proposal.

for your information ACADEMY OF MODEL AERONAUTICS

5161 East Memorial Drive Muncie, Indiana 47302 (765) 287-1256 FAX (765) 289-4248

AMA[™] SINCE 1936

AMA is the Academy of Model Aeronautics.

AMA is the world's largest sport aviation organization, representing a membership of more than 170,000 from every walk of life, income level and age group.

AMA is a self-supporting, non-profit organization whose purpose is to promote development of model aviation as a recognized sport and worthwhile recreation activity.

AMA is an organization open to anyone interested in model aviation.

AMA is the official national body for model aviation in the United States. AMA sanctions more than a thousand model competitions throughout the country each year, and certifies official model flying records on a national and international level.

AMA is the organizer of the annual National Aeromodeling Championships, the world's largest model airplane competition.

AMA is the chartering organization for more than 2,500 model airplane clubs across the country. AMA offers its chartered clubs official contest sanction, insurance, and assistance in getting and keeping flying sites.

AMA is the voice of its membership, providing liaison with the Federal Aviation Administration, the Federal Communications Commission, and other government agencies through our national headquarters in Muncie, Indiana. AMA also works with local governments, zoning boards, and parks departments to promote the interests of local chartered clubs.

AMA is an associate member of the National Aeronautic Association. Through NAA, AMA is recognized by the Fédération Aéronautique Internationale (FAI), the world governing body of all aviation activity, as the only organization which may direct U.S. participation in international aeromodeling activities.

For more detailed information, contact the Academy of Model Aeronautics, 5161 E. Memorial Drive, Muncie, Indiana, 47302 or telephone 1-765-287-1256.



AMA BENEFITS

World's Largest Aeromodeling Organization

ORGANIZATION

Non-Profit

- Tax Exempt Under IRS Section 501(c)(3)
- Members Elect Corporate Officers
- Monthly Magazine
- Published Financial Information
- Active Representation with US Government Agencies (FAA, FCC, and Department of Interior)
- National and Regional
- Flying Site Development
- Serving Aeromodeling Since 1936
- Organizational Assets (\$11 million)
- Member of National Aeronautical Association

SERVICE TO AEROMODELING

Aeromodeling Videos

- Historic Preservation and Research (Museum, Archives, and Library)
- Recognition and Awards
- Scholarship Program
- Educational Programs
- Air Show Team Program
- Mall Show Program
- Fun Fly Activities (National, Regional, and Local)
- Web Page on Internet

COMPETITION SUPPORT

Member Developed Rules

- National Championships
- International Participation

CLUB SUPPORT

Flying Site Assistance

- Frequency Monitoring and Sound Measuring Equipment
- National Newsletter for Clubs
- Field Safety and Frequency Posters
- Club Officer Recognition
- Introductory Pilot Program
- Primary Site Owner Insurance

TECHNICAL SUPPORT

- Sound and Propeller Research
- Active Safety Advocacy
- Research Library
- Aviation Books
- · Airfoil Technology Research

INSURANCE COVERAGE*

- \$2,500,000 per occurrence. General liability coverage to members, clubs, siteowners
- \$25,000 Medical Coverage—AD&D Policy (\$10,000 Death Benefit)
- \$1,000 Fire, Theft, and Vandalism Policy
- Various Types of Aeromodeling Covered (RC, FF, and CL)
- Liability also covered for operations of: Model Boats

Model Cars

Model Rockets

*per terms of policies acquired by AMA

Academy of Model Aeronautics 5161 East Memorial Drive Muncie IN 47302

Tel.: (765) 287-1256 Fax: (765) 289-4248 www.modelaircraft.org



New Hampshire Flying Tigers R/C Club, Inc.



P.O. Box 99 Derry, NH 03038 www.newhampshireflyingtigers.org

Mr. Frank Thomas Director of Public Works 227 Maple Street Manchester, NH 03103 February 13, 2004

Mr. Thomas,

This letter is to follow up on our prior correspondence and telephone calls about the use of the Dunbarton Road Sanitary Landfill for model activities by the NH Flying Tigers R/C Club.

The NH Flying Tigers is a non-profit organization incorporated in the State of New Hampshire. We have been in existence since the early 1970's. Our membership typically varies between 50 and 70 members covering the ages of 7 to 70. A normal day may find between 5 to 10 people at our flying field as not all of our members actively fly, some fly during the week while others fly on weekends. We maintain our own facilities, and have a set of rules and procedures in place to ensure the environment is kept clean and that our members always consider safety first while respecting our neighbors. We would expect no additional costs or burdens to the City of Manchester as we are totally self sufficient.

Our club is chartered by the Academy of Model Aeronautics (AMA) which is a national organization. We require each of our members to also be a member of the AMA. Membership in the AMA includes liability insurance for each member and our club. Our AMA insurance allows us to name the landowner of our flying site onto our policy to provide \$2,500,000.00 of primary liability coverage for the landowner at no cost to the landowner.

We feel that the Dunbarton Road Sanitary landfill and model activities are a perfect match. Use of a landfill for model activities is not unprecedented. I can also supply you with a list of over 150 landfills across the United States, including some in the State of New Hampshire, which are being used by organizations such as the NH Flying Tigers.

The New Hampshire Flying Tigers R/C Club would love to work with the City of Manchester to make the Dunbarton Road Sanitary Landfill a useful part of the community and something that the City of Manchester would be proud of.

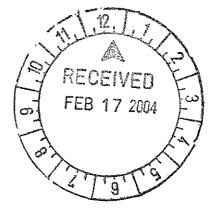
Please consider this an official request of The New Hampshire Flying Tigers Radio Control Club for exclusive use of the Dunbarton Road Sanitary Landfill by our members and guests for model activities.

Sincerely,

Kich 13

7 Redfield Circle Derry, NH 03038

phone: (603) 216-2180



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City of Manchester Department of Highways

227 Maple Street Manchester, New Hampshire 03103-5596 (603) 624-6444 Fax # (603) 624-6487

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Commission
James E. Connolly, Jr. - Chairman Henry R. Bourgeois William F. Kelley Edward J. Beleski Peter Favreau

Frank C. Thomas, P.E. Public Works Director

Kevin A. Sheppard, P.E. Deputy Public Works Director

March 10, 2004

Committee on Lands and Buildings of the Honorable Board of Mayor and Aldermen One City Hall Plaza Manchester, New Hampshire 03101

Attn: Leo R. Bernier, City Clerk

Re: New Hampshire Flying Tigers R/C Club, Inc.

Dear Committee Members:

Attached, please find a request from the referenced club for the use of the Dunbarton Road Sanitary Landfill for model activities. In discussion with Frank Thomas, we would support this use, subject to the negotiation of an agreement which is acceptable to the City.

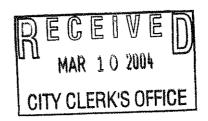
Your review and comment on this request would be appreciated. We are available to answer any questions you may have on this matter.

Kevin A. Sheppard, P.E.

Deputy Public Works Director

/cd

cc: Frank C. Thomas, P.E. CLD Engineers Inc. NH Flying Tigers R/C Club, Inc.







City of Manchester Department of Highways

227 Maple Street
Manchester, New Hampshire 03103-5596
(603) 624-6444 Fax # (603) 624-6487

review of dog park I information-attached

Commission

Edward J. Beleski - Chairman Henry R. Bourgeois William F. Kelley Michael W. Lowry William A. Varkas

Frank C. Thomas, P.E. Public Works Director

Kevin A. Sheppard, P.E. Deputy Public Works Director

June 8, 2004

Land and Buildings Committee of the Honorable Board of Mayor and Aldermen CITY OF MANCHESTER One City Hall Plaza, Manchester, New Hampshire 03101

Attn: Mr. Leo R. Bernier, City Clerk

Re: New Hampshire Flying Tigers R/C Club, Inc.

Dear Committee Members:

I am writing to inform you that the Highway Commission at their meeting of June 7th, discussed the referenced club's request to utilize the landfill. On a motion by Commissioner Henry Bourgeois, seconded by Commissioner William Kelley, the Commission has agreed to allow use of the landfill subject to the following:

- · Approval by the Board of Mayor and Aldermen,
- Six month trial period,
- Negotiation of a usage agreement which must be approved by the City Solicitor's Office.

Your review and comment on this matter would be appreciated.

Sincerely,

vevin A. Sheppard, P.E.

Deputy Public Works Director

/cd

cc: Frank C. Thomas, P.E.

NH Flying Tigers R/C Club, Inc.

13

IN BOARD OF MAYOR & ALDERMAN

DATE: October 5, 2004

ON MOTION OF ALD. O'Neil

SECONDED

Forest

informational - referred to the VOTED TO Cmte on Lands and Buildings.

Manchester, NH 03104

Leo R. Bernier

90 River Road

September 29, 2004

The Honorable
Board of Mayor and Aldermen
One City Hall Plaza
Manchester, NH 03101

Honorable Members:

I am requesting the City to allow me to acquire land abutting my property at 90 River Road for whatever fair market value the City determines reasonable. The parcel is known as Tax Map 0415, Lot 001, and if purchased would place the property on the tax roles.

Should the City require, I am willing to grant any easements necessary to complete the sale of this property. My intention in acquiring the property at this time is to retain enough footage to allow me to place a garage on the property, raising the house if necessary. Any and all future work would be done within the constraints of law.

As the only abutter having a logical interest in the property, which presently serves no real value to the City, I hope the City will seriously consider my request.

Sincerely,

Leo R. Bernier

La R Berner

The Sargent Museum

Archaeology and Anthropology

Collection Storage P. O. Box 4212 Concord, NH 03302 Exhibits & Fundraising 1045 Elm St., Suite 303 P.O. Box 268 Manchester, NH 03105 (603) 627-4802

October 6, 2004

Land and Buildings Committee
C/o Mr. David Beauchesne
City of Manchester
Planning and Community Development
One City Hall Plaza
Manchester, NH 03101

Re: Archaeological Potential Parcel TM415 - Lot 1

Dear Land and Buildings Committee:

I am writing you both as a professional archaeologist and as President of the Sargent Museum of Archaeology and Anthropology. The recent subdivision of the Brady-Sullivan Tower parcel has attracted considerable attention from the New Hampshire archaeological community. This is because it is the location of two of the most significant archaeological sites (Smyth and Neville) found in northern New England. The Sargent Museum would like access to the above referenced lot for archaeological testing. The reasons are presented below. We would like to do this testing this month as part of the annual Archaeology Month celebration we organize every October.

The extreme importance of the archaeological record on the east bank of the Merrimack at Amoskeag Falls is always in the back of the archaeologist's mind. Individuals that participated in the 1968 excavations reported that there were intact pieces of the Smyth Site that survived the construction. A 1980's preliminary testing project documented archaeological deposits between River Road and the tower parking lots and in several yards to the north. A Sargent Museum archaeological review of the Manchester Armory property also produced evidence of surviving archaeological deposits. My own thirty-one year career has taught me that it is almost impossible to completely destroy an archaeological site. Undoubtedly significant information remains in the vicinity of these two sites.

First some history of research at Amoskeag. When the Amoskeag Bridge was replaced in 1968 (and the Smyth Mansion was demolished for expansion of the then New Hampshire Insurance Co. building) three extensive archaeological excavations were conducted. Howard Sargent conducted the federally required salvage project for the bridge and road replacement. Two New Hampshire Archaeological Society (NHAS) excavations were conducted on private property. One was placed around the Smyth Mansion—now the western most parking lot behind the Brady-Sullivan Tower. The other NHAS work was in the yard of the Neville house on River Road. The Neville house was located just northwest of the old Amoskeag bridge intersection with River Road. This location is now under the bridge ramps, only a few hundred feet from the lot in question.

The Smyth Site produced a massive amount of archaeological data and artifacts primarily relating to the last 3,000 years of Indian occupation at Amoskeag. The main use of the site appears to be as the 16th and 17th century location of the major Penacook village of that period. Smyth was undoubtedly Passaconaway's village as documented by the Woods map of 1634.

The Sargent Museum holds the bulk of the artifacts and data from the Smyth Site – approximately 800 banker boxes of material including a ninety-five percent complete clay pot. This pot is the most complete specimen from a New Hampshire site. The Smyth data has never been completely analyzed or interpreted as a result of the massive quantity. Now, completing this work has become one of the major tasks of the Sargent Museum. It will take many years of work to fully understand the material but it is obvious from a few trial reviews that this data will ultimately rewrite the Indian history of New Hampshire.

The Neville Site was excavated by the late Peter McLane and resulted in one of the most important discoveries for New England archaeology. Neville produced clearly defined occupations going back 8,000 years. The site is now one of the most famous in the northeast after the publication of "The Neville Site: 8,000 years at Amoskeag" by the Harvard Peabody Museum in 1976. Neville produced the equivalent of a New England Rosetta stone with its indisputable record of changes in tool style and manufacture. The sequence of tool styles at Neville allowed archaeologists to quickly date numerous sites across the region for the first time.

With that in mind the Sargent Museum has begun investigating the potential for a public archaeology program in the Smyth-Neville area. This brought the River Road parcel to my attention. My understanding is that the lot is owned by the City of Manchester as a tax deeded parcel. I also understand that the City does not desire to hold such properties for the long term. The lot in question includes a small area of ancient river terrace that appears mostly undisturbed (on the basis of the mature trees present). This terrace falls between the elevations of the Smyth and Neville Sites.

Archaeologists strive to leave portions of important archaeological sites for future researchers and improved methods and technology. Current archaeological and scientific techniques applied to portions of these sites are likely to yield significant information about who lived here and how they lived, both questions that archaeologists still cannot answer with certainty. Yes we can say the Penacook (or Abenaki for some) lived here but we really do not know who the Penacook were or who the Abenaki are. From the evidence I have seen in the Smyth collection there may be some answers in these sites that will surprise us all. If our testing reveals no archaeological deposits there will no longer be any interest in this lot. If there are important deposits present then that fact would, we hope, require consideration as part of any future sale or transfer of the property.

I thank you for your time and attention to this matter. If you require more information please do not hesitate to contact me at 627-4802 or via my cell phone at 496-7507. I implore you to try to give us an answer regarding access for testing as soon as possible as we would like to do this as a public archaeology project utilizing local volunteers. The field season is rapidly drawing to a close and we would like to do it as part of our October events.

Sincerely.

Wesley R. Stinson

President

To: Committee on Lands and Buildings

From: Board of Assessors Date: November 15, 2004

Re:

Map 415 Lot 1

Request to Purchase Property-

The following is a summary of important facts and the value estimate:

Property Location	Land is located on River Road
Assessors Map/Lot	Map 415 Lot 1
Property Owner	City of Manchester
Deed Book/Page	Book 5445 Page 447
Date Acquired	June 6, 1993
Improved/Vacant	Vacant
Total Land Area	15,897- Most is located on very steep topography
Current Zoning	R3
Overlay District	
Easements/Restrictions	None Noted
Utilities Available	All
Total Current	\$7,100
Assessment	
Indicated Range of	.50 to \$2 per square foot
Value/Unit	
Indicated Range of	Due to the extremely steep topography this property has little
Value	market value, except to the abutter. Therefore, the lower range
	of value was used in this analysis. 15,897 sq.ft. X .50 =
	\$7,948.50 Rounded to \$8,000
Comments	The property is also abutted by the B & M railroad tracks

Respectfully submitted by the Board of Assessors,

mas C. Nicholo

Thomas C. Nichols



Robert S. MacKenzie, AICP

CITY OF MANCHESTER

Planning and Community Development

Planning
Community Improvement Program
Growth Management



Staff to: Planning Board Heritage Commission Millyard Design Review Committee

November 8, 2004

Committee on Land and Buildings Honorable Board of Mayor and Aldermen City Hall - One City Hall Plaza Manchester, N.H. 03101

RE: Request by owner of TM 415, Lot 2 (90 River Road), to acquire abutting city-owned parcel TM 415, Lot 1

Dear Committee Members:

This is to provide a report pursuant to Section 34.20 pertaining to the above-referenced city-owned land.

The City has received a written request from Mr. Leo Bernier, of 90 River Road, asking for permission to acquire the abutting City-owned parcel located immediately to the south of his property. Mr. Bernier's 90 River Road property is 7,755 s.f. is size (0.18 ac.) and contains a single family residence with outdoor parking. He is seeking to acquire the abutting lot in order to gain enough square footage of land to allow for the construction of a new garage and an expansion in the size of his house. The City-owned parcel is 16,147 s.f. in size (0.37 ac.) and is very steeply sloped away from River Road toward the railroad tracks which run past the rear of the property; only the northeasterly portion of this parcel could be used for building activities.

Separate from Mr. Bernier's request, the City has also recently received a request from Manchester's Sargent Museum of Archaeology and Anthropology seeking permission to access the City-owned lot in order to carry out appropriate archaeological testing. Their apparent goal is to determine whether the City-owned lot, which sits on a terrace between and in immediate close proximity to the previously tested Smyth (1968) and Neville archaeological sites, is worthy of being acquired by the Museum for long-term archaeological preservation and study. The so-called Smyth site, which is located in the immediate environs of the Brady-Sullivan Tower parking lot directed across the street from the subject parcel, has been determined to be the site of Abenaki sachem Passaconaway's village on the bluffs above the ancient Amoskeag Falls, and the Neville site, which is located in the immediate area of the Amoskeag Bridge support abutments a few feet directly to the south of the subject parcel, has been determined to be the equivalent "of a New England Rosetta stone" because of its rich record of archaeological information. Both the Smyth and Neville sites have been determined by experts (see attached letter from The Sargent Museum) to be of the highest importance for the study and understanding of Native American archaeology in the northeast United States.

In seeking to understand the issues at hand, the Planning Department has determined that both Mr. Bernier's proposed use for the City-owned property and the Sargent Museum's desire to study and safeguard the potential archeaological treasure associated with that same property are not incompatible. As noted above, Mr. Bernier could only use a small portion at the northeastern end of the City-owned property for building purposes and he has (a) indicated in writing that he would be "willing to grant any easements necessary to complete the sale of the property", and (b) verbally indicated that he would be interested in working out a suitable archaeological use easement with *The Sargent Museum* if he were to acquire the City-owned property.



Surplus Determination:

The Planning Department has reviewed information about and visited the City-owned parcel in question and has communicated with Mr. Bernier and The Sargent Museum about this matter. We have determined that there may be a City conservation use for the parcel which would be archaeological in nature. As such, we recommend that the parcel not be declared "surplus" until after preliminary site testing be carried out by appropriate archaeological experts to determine the general conservation worthiness of the parcel.

Disposition:

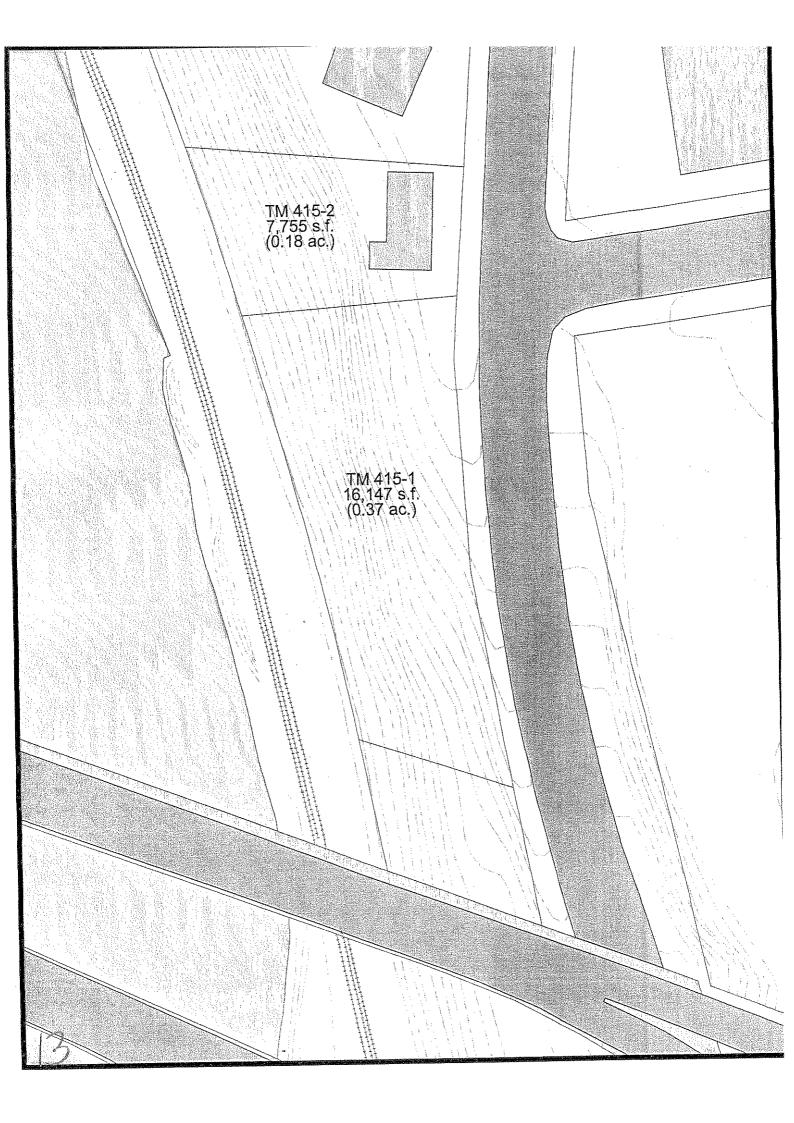
Typically, we would agree that, given the City's need for an increased property tax base, the most practical method of disposing of this city-owned parcel would be to sell it to Mr. Bernier, its only direct abutter. However, in the current instance, appropriate caution is called for and we recommend that prior to deciding on a final disposition for the property the Committee first get the following information:

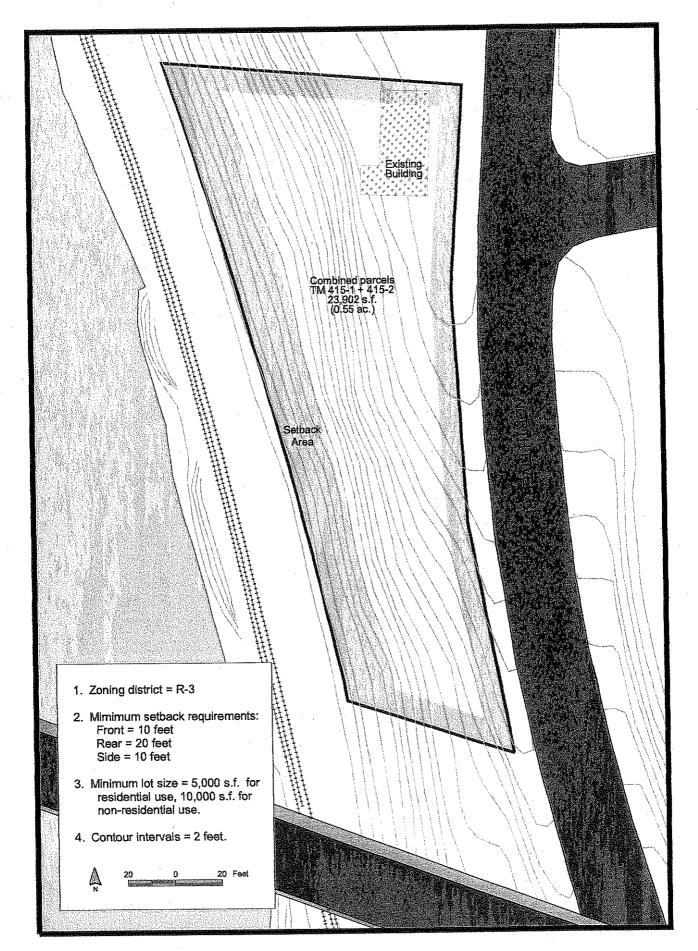
- (a) Delivery to the City of a report discussing the outcome of a preliminary archaeological study on the subject parcel to be carried out by The Sargent Museum, and
- (b) The City's receipt of the results of mutually beneficial private-sector discussions between Mr. Bernier and The Sargent Museum. We think that these two worthy parties would eventually offer the City an appropriate partnership plan for use of the subject parcel.

The Committee may wish to consider these options.

Sincerely

Robert S. MacKenzie Director of Planning







City of Manchester Office of the Tax Collector

City Hall
One City Hall Plaza - West
Manchester, New Hampshire 03101 Joan A. Porter
(603) 624-6575 (Phone) Tax Collector
(603) 628-6162 (Fax)

Memorandum

DATE:

October 14, 2004

TO:

Land & Building Committee

FROM:

Joan A. Porter, Tax Collector

RE:

L River Rd

As requested, the following contains information regarding the Tax-Deeded property located at: L River Rd

Prior Owners:

John Neville

Map/Lot:

Map 0415 Lot 0001

Lien Date:

05/10/1991

Deed Date:

06/21/1993

Recorded Date:

06/22/1993

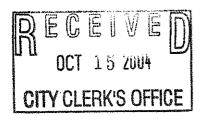
Book/Page:

5445/0447

Back Taxes

\$5,434.38 (not including interest and costs)

I do not have any objections to the disposition of this property.





City of Manchester Department of Highways

227 Maple Street
Manchester, New Hampshire 03103-5596
(603) 624-6444 Fax # (603) 624-6487

Commission

Edward J. Beleski
- Chairman
Henry R. Bourgeois
William F. Kelley
Michael W. Lowry
William A. Varkas

Frank C. Thomas, P.E. Public Works Director

Kevin A. Sheppard, P.E. Deputy Public Works Director

October 14, 2004

Board of Mayor and Aldermen Lands and Buildings Committee One City Hall Plaza Manchester, New Hampshire 03101

RE: REQUEST OF LEO R. BERNIER TO PURCHASE TAX PARCEL 415-001

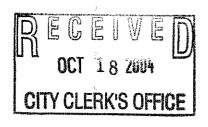
Committee members:

We have reviewed the records for the parcel known as 415-001. The parcel is bounded southerly by land the State of New Hampshire purchased for the Amoskeag Bridge, easterly by River Road, westerly by the land of the B&M Railroad and northerly by Mr. Bernier's property, shown as 415-002.

It does not appear the Highway Department has any practical use for the parcel, other than the existing easement cited below. The topography is very steep on this parcel, dropping about 40' from River Road to the railroad land. Therefore, we have no objection if the parcel is sold.

In reviewing the deeds for this parcel, it was noted:

- John F. Neville conveyed the southerly portion of his land to the State of New Hampshire for the Amoskeag Bridge; his remaining land became tax parcel 415-001.
- John C. Neville and Karlene N. Wadleigh conveyed a sewer easement for the "Northeast Interceptor" over this parcel (415-001) to the City. The easement deed is recorded at Hillsborough County Registry of Deeds book 5180 page 559.
- The tax collector deed cites the owner as John F. Neville.

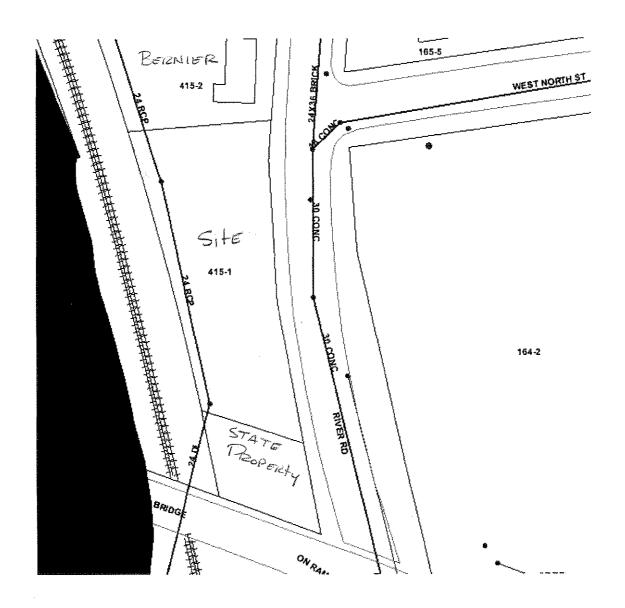


If you have and questions, I can be reached at 624-6444 extension 301.

Sincerely,

Frank Thomas, P.E. Public Works Director

MJM cc: File



The Sargent Museum

Archaeology and Anthropology

Collection Storage P. O. Box 4212 Concord, NH 03302 Exhibits & Fundraising 1045 Elm St., Suite 303 P. O. Box 268 Manchester, NH 03105 (603) 627-4802

December 16, 2004

Land and Buildings Committee C/o Mr. David Beauchesne City of Manchester Planning and Community Development One City Hall Plaza Manchester, NH 03101

Re: Archaeological Potential Parcel TM415 - Lot 1, (River Road)

To the Land and Buildings Committee:

This letter will serve two purposes. One is to report the results of a brief archaeological evaluation of the above referenced lot and a subsequent meeting of Mr. Beauchesane, Mr.Bernier and myself regarding the results and how to proceed. The second is to present a request for permission for an intensive evaluation and/or mitigation of potential adverse effects to the archaeological site present at this location.

On December 3rd State Archaeologist Richard Boisvert and I met on site with Sargent Museum land surveyor James Franklin to establish ground control for testing. On December 5th Dr. Boisvert, Sargent Museum archaeologist/educator Tanya Kress and I excavated two tests in the northeast corner of the lot. The testing and results are described in further detail in the attached site investigation protocol. In summary the testing indicated the presence of undisturbed archaeological deposits to a minimum depth of one meter (approximately three feet). Artifacts recovered included a mixture of stone flakes produced during the manufacture of stone tools (arrowheads and knives etc) and pottery fragments that, on the basis of style, are dateable to between 1,000 BC and 1,000 AD. The site has been named Neville II for reasons presented in the protocol.

A subsequent meeting of Messrs. Bernier, Beauchesane and Stinson (Ms. Lamberton also attended the meeting) reviewed the various interests in the parcel and the archaeological testing results. Mr. Stinson proposed an archaeological field school as a way to mitigate probable impacts to the archaeological site. The field school plan was acceptable to Mr. Bernier and Ms. Lamberton as a remedy for our conflicting interests in the parcel.

Therefore the Sargent Museum proposes that an archaeological field school investigate the Neville II site for six weeks beginning June 2005. The field school will be a joint effort of the N.H. Division of Historical



Resources State Conservation and Rescue Archaeology Program (SCRAP), the Sargent Museum and Plymouth State University. Southern New Hampshire University may also become a partner in the field school and, along with PSU, offer course credit for participants.

Both the Sargent Museum and the SCRAP Field School have liability coverage for staff and volunteers participating in fieldwork. Dr. Boisvert will direct the excavation efforts. The participants and staff will include a mixture of Sargent Museum and SCRAP individuals and usually includes a number of participants from various other states and countries. The fame of the original Neville Site is such that there will be intense interest from regional scholars and they may want to send some of their students and visit the site themselves. Mr. Stinson will coordinate with the city and public on logistics and support for the project.

Dr. Boisvert and I must stress two critical issues regarding this field school. One is that consideration of this request be kept as confidential as possible. If it is at all possible we would like to see the discussion of this request and the archaeological site testing be conducted in a non-public session. The fame of the Neville Site is a double edge sword and we fear that publicity may generate looting of the site by individuals looking for artifacts for their private collections or to sell.

The second critical issue is the timing of distribution of the announcement of the field school. Securing the best students to participate is very competitive. Many field schools have already begun recruiting. In order for Dr. Boisvert to effectively recruit he needs to have City permission for the field school as soon as possible. Please also be aware that the Neville II site is of such importance and interest that we have effectively placed all the field school eggs in this one basket. If permission is denied there are few if any options for selecting an alternative location. An alternative site would have to be tested before planning a field school and it is unlikely that weather conditions will allow for testing until spring. We have faith that you will share our interest in seeing this important piece of Manchester's history investigated using state of the art techniques that were not available when this area was studied in 1968.

Please do not hesitate to contact me at 627-4802 or 496-7507 or Dr. Boisvert at 271-6433 if you have any questions. Dr. Boisvert and I look forward to meeting with you in January to discuss the parcel and our proposal.

Sincerely,

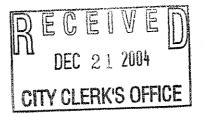
Wesley R. Stinson

President

Cc:

L. Bernier

R. Boisvert



NEVILLE II SITE EVALUATION INVESTIGATON PROTOCOL 2005 SCRAP FIELD SCHOOL

NH DIVISION OF HISTORICAL RESOURCES SARGENT MUSEUM PLYMOUTH STATE UNIVERSITY

OBJECTIVES

The objective of the investigation is to evaluate the archaeological potential of the Neville Parcel located on the west side of North River Rd. between the Amoskeag Bridge and the current Bernier Residence, 90 North River Rd. The evaluation will seek to identify the horizontal and vertical extent of the archaeological deposits and to characterize the age, past historic use, and relationship to other previously identified archaeological sites in the immediate region. A recommendation to the City of Manchester regarding the disposal of the property, in whole or in part, will be submitted.

SITE SUMMARY

This site is located on the east side of the Merrimack River overlooking an area historically known as "The Fishing Rocks" and is adjacent to the previously investigated Neville Site and Smyth Site. The parcel, currently owned by the City of Manchester, was previously privately owned by the Neville family, and thus the site is named Neville II to recognize the ownership history while at the same time distinguishing it from the previously identified site. A brief investigation of the site on December 5, 2004 involved the excavation of two shovel test pits (each 50 cm square). One pit encountered historic slag at 40 cm below surface. This prevented deeper excavations, however a soil core sample was obtained that revealed a buried dark soil horizon at 90 cm below the current surface. A second shovel test pit recovered abundant chipped stone tool manufacturing debris and ceramic sherds from 20 to 100 cm below the current surface. Deeper deposits are expected however deeper excavations were not possible within the confines of the 50 cm square. Ceramics ranging in age from 1000 to 3000 years were identified in this excavation. Evaluation of the topography of the surface and comparison to adjacent areas indicates that there is an area of at least 200 square meters with deeply buried archaeological deposits. Sites with these characteristics are extremely rare in NH and the identification of such a site adjacent to Amoskeag Falls, with it's demonstrated long history of occupation and significant archaeological potential, strongly suggests that the site is significant.

INVESTIGATIONS

The site will be investigated through the execution of the 2005 NH State Conservation and Rescue Archaeology Program Summer Field School under the direction of Dr. Richard A. Boisvert, State Archaeologist, of the NH Division of Historical Resources as Principal Investigator. Wesley Stinson, President of the Sargent Museum of Archaeology and Anthropology, will serve as Co-Principal Investigator. Academic accreditation will be provided through Plymouth State University. The field school will take place from June 20 through July 30, 2005. Boisvert will have the responsibility for developing the research strategy, coordinating the archaeological investigations, treatment of any human remains and managing on-site operations. Stinson will coordinate off-site logistics, public relations, report preparation and long term curation of the materials recovered. The Sargent Museum will curate the artifacts, samples, notes and related documentation.

SPECIAL CONSIDERATIONS

If in the event human remains are encountered during excavations, recovery efforts at the location of the remains will be halted, the Native American community notified and the remains will be preserved in place. If human remains are identified among the materials recovered during the analytical phase, the Native American community will be notified and analysis of the remains by a qualified Physical Anthropologist, will be conducted and repatriation to the Native American community will be carried out according to RSA 227:C.



December 20, 2004

Land and Buildings Committee City of Manchester One City Hall Plaza Manchester, NH 03101

RE: Neville II archaeological site on River Road, Lot 1

Dear Members of the Land and Buildings Committee:

I have read the report by the Sargent Museum with a great deal of interest. The Neville II archaeological site may prove to be of great value to the understanding of Manchester as an early Native American fishing area. I fully support the excavation of the area and the use of field school students and volunteers.

My only concern is liability coverage for Museum staff and volunteers. Will this coverage include my property? Excavation may necessitate people using 90 River Road to access the riverbank. In the event of an accident. I do not want to be held liable.

Sincerely,

Leo R. Bernier

cc: Wesley Stinson

Richard Boisvert, Ph.D.

Tri-State Enterprises

3 SO. BEDFORD ST. MANCHESTER, N.H. 03101 TELEPHONE 603/668-4840

Rentals and Sales Monte Carlo & Vegas Nite Equipment Lucky Sevens Bingo Equipment Video & Amusement Games Restaurant Equipment

October 5, 2004

Board of Mayor & Alderman City Clerk 1 City Hall Plaza Manchester, NH 03101

Dear Mayor and Board of Alderman;

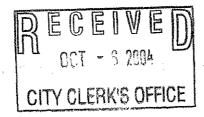
I would like to acquire the portion of South Bedford Street that was discontinued in front of my building at the corner South Commercial and South Bedford Streets.

Thank you for your time in considering my request.

Sincerely,

Nicholas Bonardi Tri State Enterprises

Owner



To: Committee on Lands and Buildings

From: Board of Assessors Date: January 4, 2005

Re: South Bedford Street discontinuance and land

Request to Purchase Property

The Assessors have completed an analysis of the estimated market value of the above referenced property. A site inspection was conducted on December 2, 2004. An analysis of the available assessing records has been completed. A review of sales of developable land has also been completed. The following is a summary of important facts, and the value estimate:

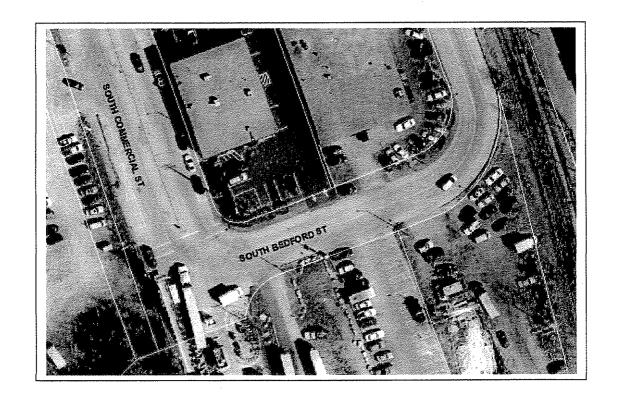
Property Location	South Bedford Street
Assessors Map/Lot	N/A
Property Owner	City of Manchester
Deed Book/Page	N/A
Date Acquired	Unknown
Improved/Vacant	Vacant
Total Land Area	4,335 sq. ft. on South Bedford & 347 sq. ft. between South Bedford & South Commercial, totally 4,682
Current Zoning	CBD
Easements/Restrictions	Drainage, water, and utility easements & access right-of-way
Utilities Available	All
Total Current Assessment	The property is currently a street, and as such, is not assessed
Indicated Range of Value/Unit	\$4.00-5.00 per sq. ft.
Indicated Range of Value	\$17,340 - \$21,675
Comments	

Respectfully submitted by the Board of Assessors,

Thomas C. Nichols

14

RE: South Bedford Street discontinuance





Robert S. MacKenzie, AICP Director

CITY OF MANCHESTER

Planning and Community Development

Planning Community Improvement Program **Growth Management**



Staff to: Planning Board Heritage Commission Millyard Design Review Committee

October 29, 2004

Committee on Land and Buildings Honorable Board of Mayor and Aldermen City Hall - One City Hall Plaza Manchester, N.H. 03101

RE: Request by owner of TM 274, Lot 7A, to acquire a discontinued portion of South Bedford Street

Dear Committee Members:

This is to provide a report pursuant to Section 34.20 pertaining to the above-referenced city-owned land. The Board of Mayor and Aldermen, on August 31, 2004, approved a petition to discontinue the southernmost portion of South Bedford Street running immediately before the above referenced parcel owned by Nicholas Bonardi "subject to reserving any and all utility easements". The City continued to own the property upon discontinuance. More recently, Mr. Bonardi has communicated with the City asking for permission to acquire the subject discontinued property.

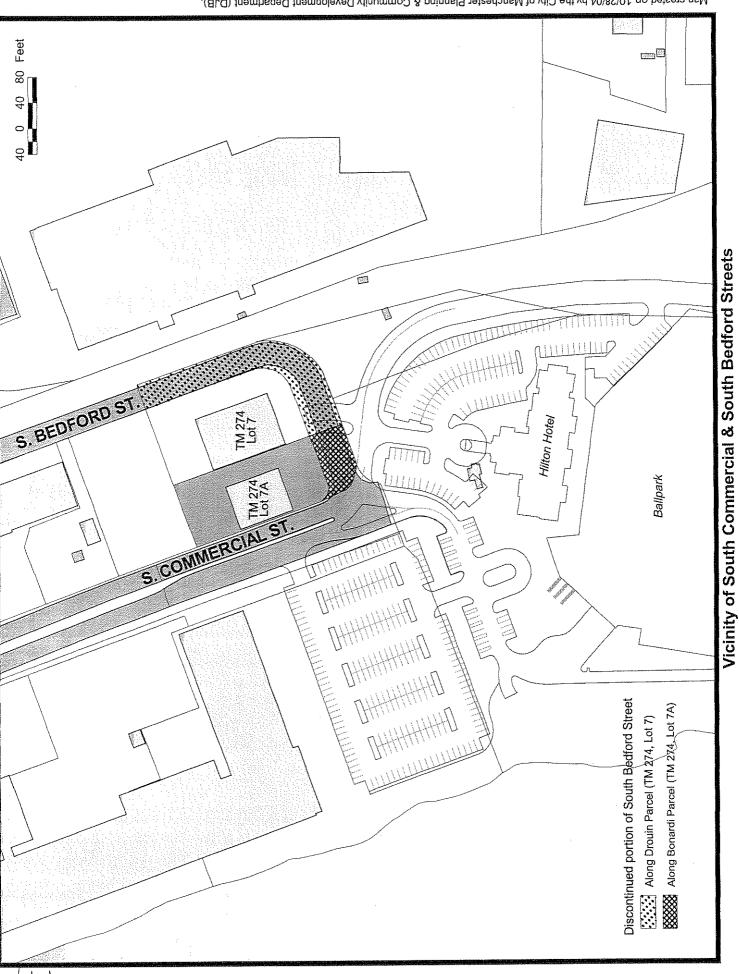
Surplus Determination:

The Planning Department has reviewed the lands in question and communicated with the Highway Department and City Clerk's Office about this matter and we have determined that there are no known City uses for the parcel. As such, we recommend that it be declared "surplus" city land.

Disposition: Given the City's need for an increased property tax base, the most practical method of disposing of this city-owned parcel would be to sell it to its only direct abutter, Mr. Bonardi, with the condition that it be consolidated into Mr. Bonardi's existing parcel at TM 274, Lot 7A. The Committee may wish to consider this option.

Sincerely

Robert S. MacKenzie Director of Planning



Map created on 10/28/04 by the City of Manchester Planning & Community Development Department (DJB). Map scale: One inch = 150 feet.



City of Manchester Office of the Tax Collector

City Hall
One City Hall Plaza - West
Manchester, New Hampshire 03101 Joan A. Porter
(603) 624-6575 (Phone) Tax Collector
(603) 628-6162 (Fax)

Memorandum

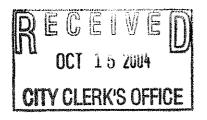
DATE: October 12, 2004

TO: Land & Building Committee

FROM: Joan A. Porter, Tax Collector

RE: S Bedford St @ S Commercial St

As the above-referenced property is not a tax-deeded parcel, the Tax Collector's office has no interest in the sale of this property.





Robert S. MacKenzie, AICP

CITY OF MANCHESTER

Planning and Community Development

Planning
Community Improvement Program
Growth Management



Staff to:
Planning Board
Heritage Commission
Millyard Design Review Committee

November 8, 2004

Lands and Buildings Committee City Hall Manchester, NH 03101

Re: Blacksmith Shop on Second Street

Honorable Committee Members:

A For Manchester group has been interested in acquiring the Blacksmith Shop on Second Street for preservation. It has requested funding for this acquisition from the SEPP (Supplemental Environmental Protection Program) which is funded from sewer use fees. The acquisition cost would be between \$250,000 and \$300,000.

In my opinion, the property is worth considering for acquisition. It is located on Bass Island, which is in a "Regulatory Floodway", it is a historic building and it is located across from a City park – Bass Island Park. There are, however, three issues which would have to be resolved.

- 1) Eligibility for SEPP Funding. One of the main purposes of the SEPP agreement was for land conservation. It should be determined whether this parcel which contains a building would be consistent with the SEPP program. The SEPP Committee would make this determination (this committee also includes representatives of the EPA and State DES, the City's two partners in the overall CSO/SEPP agreement)
- 2) Funding Amount. The SEPP committee has committed \$100,000 for land protection on Bass Island. The committee in conjunction with the City's EPD would have to determine whether there are adequate funds to cover the cost of acquisition.
- 3) Ownership entity. There should be a review of the proper ownership of the property. This would include a determination of an adequate maintenance plan with budget and proper use plan. This would be consistent with the ownership and management of the Hackett Hill preserve which was acquired with SEPP funds.

I am seeking the Board's concurrence with this approach.

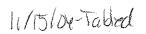
Robert S. MacKenzie

Sincerely

Director of Planning

C: Mayor Robert A. Baines Thomas Clark, Esq. Thomas Seigel Jane Beaulieu

> One City Hall Plaza, Manchester, New Hampshire 03101 Phone: (603) 624-6450 FAX: (603) 624-6529 E-mail: planning@ci.manchester.nh.us www.ci.manchester.nh.us





Robert S. MacKenzie, AICP Director

CITY OF MANCHESTER

Planning and Community Development

Planning
Community Improvement Program
Growth Management



Staff to
Planning Board
Zoning Board of Adjustment
Heritage Commission
Millyard Design Review Committee

October 10, 2002

To Whom It May Concern:

This is regarding the application for funding under the LCHIP program for Bass Island. This island rests strategically at the confluence of the Piscataquog and Merrimack Rivers and is significant historically, as a natural resource and as an urban green space within a highly urbanized area.

The island is a historic location from both the time of the native american indians to the urban development of the City. The blacksmith shop is a surprising remnant of a past economy. The island is also located within a regulatory floodway and if returned primarily to a natural state will help prevent downstream flooding. As a green space it expands upon the existing Bass Island Park across the street and provides access to both branches of the Piscataquog River and has relatively short distance to the Merrimack River.

The site is recommended for park expansion in the City's "Riverfront Development Plan completed in 1999 and is recognized in the recently released "Gateway Corridor and Civic Center Area" Plan.

This letter is to provide our department's strong support for the application.

Sincerety.

Robert S. MacKenzie, AICP

Director of Planning & Community Development

One City Hall Plaza, Manchester, New Hampshire 03101 Phone: (603) 624-6450 FAX: (603) 624-6529

15

Preservation

Not An Option......A Responsibility.

Civic Engagement: Create full opportunity for citizens, businesses, and communities to participate in and influence the natural resource, environmental and economic decisions that affect them.

Source: President's Council on Sustainable Development

Property Location: 310 SECOND ST Vision ID: 30610

MAP ID: TPK3//0060// Other ID:

Land Value 206,875 206,875 206,875 206,875 206,875 206,875 Cost/Market Valuation MANCHESTER, NH This signature acknowledges a visit by a Data Collector or Assessor Assessed Value Print Date: 10/01/2002 14:29 Purpose/Result VISIT/CHANGE HISTORY Other Meas & Int Insp. APPRAISED VALUE SUMMARY Total Land Value Code
 I. Factor
 S.I. C. Factor
 Nbhd
 Adj. Unit Price
 1.00
 Adj. Unit Price
 1.00
 Adj. Unit Price
 1.90
 Assessed Value 206,900 PREVIOUS ASSESSMENTS (HISTORY <u> 2</u> **2** 8 206.900 217,800 218,600 SW Assessed Value Net Total Appraised Parcel Value Appraised Bldg. Value (Card)
Appraised XF (B) Value (Bldg)
Appraised OB (L) Value (Bldg)
Appraised Land Value (Bldg)
Special Land Value 5/2/2000 1/11/1991 Total Appraised Card Value Total Appraised Parcel Value Valuation Method: 206.875 Appraised Value **CURRENT ASSESSMENT** Value Yr. Code 206,9001991 3830 1991 3830 Total: fo Comments Card 206,900 Code 3900 Assessed Value 2.00 AC Comm. Int. Date Comp. Description COM LAND Bldg #: Yr. Code 2001 3900 Total: LAND LINE VALUATION SECTION Amount Insp. Date | % Comp. BK-VOLPAGE SALE DATE | qui | vi | SALE PRICE | V.C. OTHER ASSESSMENTS UTILITIES STRT.ROAD LOCATION Parcel Total Land Area:
 RAD OR CAD RAD = 590

 Old LUC

 Sketch Note
 NONE

 Land Class
 C

 Parcel Zip
 03102-4819
 Urban Number Unit Price 1.90 5 Curb & Gutte SUPPLEMENTAL DATA BUILDING PERMIT RECORD 6 Sidewalk 1 Paved Amount Description 2.00 AC Units 87,120.00| 5 1 All Public 13428184 NO NO NO 87120 CodeŠ NOTES Total Card Land Units Zone Frontage/Dep Description DepthTOPO. Account # Land Adjust Voided l Suitable Total SF Amount Level GIS ID: Frontage Total. Zone D RECORD OF OWNERSHIP EXEMPTIONS Туре CURRENT OWNER Type/Description 66 MAIN ST ALLENSTOWN, NH 03275-1714 DEVEL LAND Issue Date FIREWOOD FOR SALE MCDOWELL, JAMES S MCDOWELL, JAMES S Additional Owners: VACANT LAND \$160 PER CORD Use Code 3900 Permit ID Year

Print Date: 10/01/2002 14 SKETCH fo CardBldg #: Unit Cost Undeprec. Value Apr. Value MAP ID: TPK3//0060// CONDOMOBILE HOME DATA Factor OB-OUTBUILDING & YARD (TEMS(L) / XF-BUILDING EXTRA FEATURES(B) Description COST/MARKET VALUATION Commercial Data Elements

| Cd. | Ch. | Descr. Description Unit Price | Yr. | Dp Rt | %Cnd 1.00 0.00000 0.00 0 Bldg Val: 00.00000 Other ID: BUILDING SUB-AREA SUMMARY SECTION CodeEff. Area Adj. Base Rate Bldg. Value New Year Built Eff. Year Built Mrml Physel Dep Funenl Obsinc Speel. Cond. Code Speel Cond % Overall % Cond. Deprec. Bldg Value Number of Units Number of Levels % Ownership Ceiling/Wall Rooms/Prtns % Common Wall Wall Height Unadj. Base Rate Size Adj. Factor Grade (Q) Index Heat & AC Frame Type Baths/Plumbing CONSTRUCTION DETAIL Complex Floor Adj Unit Location Element Living Area Gross Area Element L/B Units Percentage 100 Description Vacant Land Property Location: 310 SECOND ST Vacant Description Description Ü, Ttl. Gross Liv/Lease Area Code Description 3900 DEVEL LAND Ca Vision ID: 30610 Interior Floor 1 Exterior Wall 1 Roof Structure Roof Cover nterior Wall 1 Heating Fuel Heating Type AC Type Bath Type Kitchen Style Element otal Rooms style/ Type Occupancy 3edrooms **3athrooms** stories Code Code Model 3rade

63,125 125,725 63.125 Income Valuation 115,125 125,725 45,400 600 6,000 63,125 This signature acknowledges a visit by a Data Collector or Assessor MANCHESTER, NH NOISIA Assessed Value Land Value Print Date: 10/01/2002 14:29 Meas & Int Insp. Meas/Int Estimate Meas & Int Insp. Purpose/Resul VISIT CHANGE HISTORY APPRAISED VALUE SUMMARY Total Land Value Adj. Unit Price Code Total: 63,100 56,600 6,000 PREVIOUS ASSESSMENTS (HISTORY) 858 125,700 Assessed Value 104,700 27,800 132,500 B A S Assessed Value Adj. Notes-Adj/Special Pricing 1.00 SPCL(WF8)Notes: Net Total Appraised Parcel Value Date 2/27/2001 5/2/2000 1/11/1991 Appraised XF (B) Value (Bldg)
Appraised OB (L) Value (Bldg)
Appraised Land Value (Bldg)
Special Land Value Total Appraised Card Value Total Appraised Parcel Value Valuation Method: Appraised Bldg. Value (Card) 125,725 63,125 56,600 6,000 Appraised Value CURRENT ASSESSMENT Assessed Value Yr. Code 63,100[1991 3220 56,600[1991 3220 6,000 Total: fo Comments Total 125,700 3160 3160 3160 13,562 SF Factor Nbhd. Comm. Int. Date Comp. Description LAND LINE VALUATION SECTION COM LAND COMMERC. COMMERC. Bldg #: Yr. Code 2001 3160 2001 3160 2001 3160 Total: Amount OTHER ASSESSMENTS I. Factor 1.00 BK-VOLPAGE SALE DATE |qui |vii | SALE PRICE |V.C. Parcel Total Land Area: UTILITIES STRT. ROAD LOCATION RAD OR CAD **RAD = 590**Old LUC
Sketch Note
Land Class
Parcel Zip 03102-4819 C 03102-4819 Unit Price Urban Number TPK3//0061// 5 Curb & Gutte SUPPLEMENTAL DATA BUILDING PERMIT RECORD CITY IS PURCHASING PER 6 Sidewalk Amount 1 Paved Description 13,562.00 SF (V2 Units 13,562.00 MAP ID: NOTES CORP.-668-7770 Other ID: All Public 4322464 OWNER NO NO 13562 Codeŝ Total Card Land Units DepthDescription rontage/Dep Account # Land Adjust Voided TOPO. Suitable Amount Total SF Level GIS ID: D Frontage Zone: Total: Zone EXEMPTIONS RECORD OF OWNERSHIP Type Property Location: 344 SECOND ST Type/Description CURRENTOWNER Description COMM WHSE FOR SALE-GLOBAL COMM. DBA= BLACKSMITHING H.E. NETSCH AND SONS 100 STEWART ST MANCHESTER, NH 03102 Issue Date WHSE/STORAGE NETSCH, CARL H Additional Owners: NETSCH, CARL H VACANT BLDG Vision ID: 30611 Use Code 3160 Permit ID Year

Print Date: 10/01/2002 14 32 20 BAS SKETCH 25 51 fo 30 30 CardBAS FST 5 Bldg #: 27 BAS Undeprec. Value 104,601 8,847 113,448 Apr. Value Factor Description CONDOMOBILE HOME DATA OB-OUTBUILDING & YARD ITEMS(L) / XF-BUILDING EXTRA FEATURES(B) AVERAGE WOOD FRAME AVERAGE COSTMARKET VALUATION Commercial Data Elements

| Cd. | Ch. | Descr NONE AVERAGE 29.49 113,448 1930 (AV) 1941 60 Dp Rt %Cnd Description 28 22 38.00 1.00795 0.77 Unit Cost 29.49 11.80 0.00 3,847 Bldg Val: 45,400 Other ID: 40 3,547 3,547 0 BUILDING SUB-AREA SUMMARY SECTION Code*ce Yr.* 16.00 1935 8.00 1941 Adj. Base Rate Bidg. Value New Year Built Eff. Year Built Nrml Physel Dep Funen Obsinc Econ Obsinc Speel. Cond. Code Speel Cond % Overall % Cond. Deprec. Bidg Value Number of Units Number of Levels % Ownership Ceiling/Wall Rooms/Prtns % Common Wall Wall Height Heat & AC Frame Type Baths/Plumbing hadi. Base Rate size Ádj. Factor Brade (Q) Index CONSTRUCTION DETAIL Complex Toor Adj Juit Location Element Unit Price Gross Area 3,547 750 2,907 7,204 lement Living Area 3,547 3,547 Units 750 200 Percentage 100 Description Warehouse Commercial 1% Below Average L/B B Gable/Hip Rolled Compos Wall Brd/Wood Zero Bedrooms Zero Bathrms Concr-Finished Hot Air-no Duc [Japboard ASO GENERAL None Description Description GARAGE-AVE MEZZANINE-UNF Ttl. Gross Liv/Lease Area First Floor Utility, Finished Slab COMM WHSE Cq. Vision ID: 30611 exterior Wall 1 Roof Structure nterior Floor 1 Heating Fuel Heating Type AC Type Bath Type Kitchen Style nterior Wall 1 otal Rooms Element Style/ Type Model Roof Cover 3athrooms ocupancy 3edrooms Code FGR1 MEZ1 3160 tories Code BAS FST SLB rade

MAP ID: TPK3//0061//

Property Location: 344 SECOND ST



UNIQUE COMMERCIAL & RESIDENTIAL PROJECTS

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WEB PAGE: www.meehanarchitects.com

E-MAIL: meehanar@nh.ultranet.com

FAX: 603-668-2739

TEL: 603-668-6802

October 10, 2002

Jane Beaulieu For Manchester 793 Somerville Street Manchester, NH 03103

Re: Bass Island Project

Dear Jane,

This letter is intended to document my visual impressions of the Netsch Blacksmithing Building on Bass Island in Manchester, NH.

On Tuesday October 8, 2002 I toured the building both inside and out, viewed your conceptual sketches, and discussed your ideas for the building's future.

The exterior of the building on the Second Street side is in reasonably good condition except that the doors and windows may require replacement or upgrade. The condition of the remainder of the exterior varies, with the wing adjacent to the river needing the most attention.

The main central interior area of the building possesses high ceilings with wood trusses, a slab on grade which appears to be in good shape and probably is salvageable.

The wing to the north possesses a second story office space over a portion of the first floor, high ceilings and large sliding doors at the front and rear walls. This space is also in reasonably good shape.

The rear wing needs some work to improve it's appearance and structural integrity but probably could be salvaged.

The river side wing is in need of total replacement or major reconstruction. The walls are being braced by cables and the slab has a major crack and has moved toward the river.

I would recommend that a Structural Engineer be retained to do a closer inspection of the roof, walls and floors.

Please call me if you have any further questions regarding this report.

Sincerely,

MEEHAN ARCHITECTS, P.A.

Gary Meehan, AIA President

GM/kmf